

Delaware History

Volume III

March 1948

Number 1

SIR WILLIAM KEITH, BART

Frontispiece

DELAWARE UNDER GOVERNOR KEITH 1717-1726 *Richard S. Rodney* 1

KNOWN ADDRESSES OF GOVERNOR KEITH DEALING WITH
THE LOWER COUNTIES 25

1724 CHARTER OF NEW CASTLE 26

FICTION AS A MIRROR OF DELAWARE LIFE *Augustus H. Able III* 37

NEWS NOTES AND BOOK REPORTS 54

A Publication of

THE HISTORICAL SOCIETY OF DELAWARE



SIR WILLIAM KEITH

Delaware Under Governor Keith 1717-1726

RICHARD S. RODNEY

THE subject of this article is primarily of interest because it lies in what may be called "the twilight zone" of Delaware history as to which there are but a few glimmering rays to guide us in our quest for knowledge and never a light strong enough for us to see clearly the persons or events of the period. No legislative records have been saved for us and it is only by collecting the few bits of information from scattered sources that one feels of some service in laying the foundation on which a future historian may build and to which may be added the supplementary knowledge that the future inevitably discloses.

An intelligent view of the time of Governor Keith must necessarily be founded on a brief thought of the reasons for his appointment and the condition of the Colony under the rule of his predecessor.

Charles Gookin had been Lieutenant Governor since 1708 and these nine years had largely been a period of bitterness and unrest. It is not the purpose now to review, even briefly, the former administration, but in 1715 conditions had become so strained that leading citizens of New Castle County complained of Gookin's conduct of affairs and on October 14, 1715,¹ the Delaware Assembly, by Jasper Yeates, its Speaker, set forth an enumeration of its grievances. For twelve months before Gookin's retirement the situation in Delaware was almost that of an insurrection and the conduct of the Government is said to have inspired the application of the Duke of Sutherland for the Colony and to have prompted leading citizens to petition the Crown to take over the Lower Counties.

The feeling of the Delaware Assembly towards Gookin may, in some manner, be judged from the language of their ad-

1. C. P. Keith, *Chronicles of Pennsylvania*, Vol. II, 567, 573.

dress on June 18, 1717, on the occasion of Governor Keith's first appearance as the successor to Gookin. On that date the Speaker of the Assembly said²

with what transport of joy we the representatives of the Countys of New Castle, Kent and Sussex on Delaware in General Assembly met do at this time wait on your Honor those can only judge who have been acquainted with our Sighs under the late Administration of this Government and with our zealous and repeated wishes and prayers for your speedy and safe arrival amongst us.

The character of Governor Gookin may somewhat appear from his last official act. Gookin had told his successor that there were a number of people, including a member of Council, who were highly disaffected to the British Crown and to the Government. Governor Keith immediately convened the Council and summoned Gookin before it and required him to openly make any charges that he could. The Record states that Gookin entirely withdrew any accusations and said³

that his Physitian knew that he had been lately under a great Indisposition of Body which had Disordered his Head, and he believed that what he had said was owing to that only.

Having given some slight consideration to the Lieutenant Governor of Delaware who was giving up the office let us now for a moment consider the person of his successor.

In many ways William Keith was a remarkable man and while his administration must be deemed a failure in almost every respect yet it is surprising that it seems almost the anti-thesis of the administration that both preceded and followed him. William Keith, alone, of a line of men who filled the office of Lieutenant Governor of Delaware and of Pennsylvania under the Penns, came from a social class superior to most of those over whom he governed. The older authorities⁴ state that Keith was of the family of Powburn in the north of Scotland and that his grandfather was created a Baronet of Nova

2. 23 *Pa. Mag.* 491.

3. Minutes of Provincial Council, Vol. III, 17.

4. *Memoirs of H. S. P.* Vol. II.

Scotia in 1663. The later authorities⁵ state that he was the son of the Baron of Ludquhairn in Aberdeenshire. He himself succeeded to the Baronetcy during the short nine years he was Governor. Keith's family seems to have been attached to the Stuarts and William Keith, himself, is said to have spent some time at the Court of the exiled James II when at St. Germain. Keith had been arrested in connection with the, so-called, "Scottish Plot" and it is said that his father and brother had been under arms for the Pretender. Eventually, however, he had been made Surveyor of Customs in America by a Tory Ministry. Removed from office upon the accession of George I and coming to Philadelphia at a time when it was generally recognized even by Governor Gookin himself that a new Lieutenant Governor would be appointed for Pennsylvania and the Counties now constituting the State of Delaware, Keith was recommended for the office by the Provincial Council in a letter to Hannah Penn, wife of William Penn, bearing date April 27, 1716. The recommendation was in somewhat guarded terms because the Council had some fears that Keith's appointment would not meet the required confirmation of the Whig Government which was then in power in England.

The appointment was to be made by William Penn and by the mortgagees to whom Penn had mortgaged the Province. Penn was at the time both physically and mentally sick and while the records show the appointment as "from the Proprietor" yet some years later, on May 20, 1724,⁶ when Hannah Penn wrote a letter of stinging reproof to Keith, she reminded him that "thou wert chosen in the time of my husband's weakness by means of his friends only, to that important trust."

Keith has left an amusing account of the assiduous court that he paid to obtain the consent of the mortgagees and it has been suggested that he exaggerated his expenses for their "good, comfortable eating and drinking." Eventually, however, Keith was recommended and the first letters that I have seen of

5. 2 Chronicles of Pa. 569; Encyclopedia Americana

6. H. S. P. Penn Mss. Off. Corr. Vol. I, 147; Boundary Case (N. J. v Del.) Exhibit #481.

Keith's⁷ were written while he impatiently waited for the Action of Confirmation by the General Council and by the Board of Trade.

On December 17, 1716,⁸ William Keith was confirmed as Lieutenant Governor but by this instrument of confirmation there was presented a continual reminder of the difference between Penn's title for the Province of Pennsylvania and his title to the Three Lower Counties. The confirmation of Keith as Lieutenant Governor was absolute insofar as the Province of Pennsylvania was concerned, but insofar as it affected the Lower Counties the appointment was confirmed during the pleasure of the Crown. Thus the Crown reserved its claim to the Lower Counties—that claim that was so often vigorously asserted but never actually litigated or decided.

On May 31, 1717⁹ William Keith, then in his thirty-eighth year, arrived in Philadelphia with his family to take upon himself the burden of Government. As his cares and responsibilities were increasing so, too, was his family, for a son had been born on the voyage. Keith was met at the landing by Governor Gookin, the Provincial Council and by the Mayor, Aldermen and other officers of Philadelphia and his commission was proclaimed at the Court House in due form. Keith had not taken his oath of office in England at the time of his appointment, but had brought with him a *Dedimus Potestatem* authorizing two of a number of named persons to administer the oaths. Accordingly on the following day, June 1st, the oaths, at least three in number, were administered by Jasper Yeates, William Trent, Robert Assheton and John French. It is not without interest to note that this first official act was performed by two persons, Yeates and French, from New Castle.

On June 12, 1717¹⁰ the Minutes of the Council state that the Governor acquainted the Board that having issued his writts when

7. H. S. P. Penn Mss. Off. Corr. Vol. I, 53, 55.

8. Boundary Case (N. J. v. Del.) Exhibit No. 1073.

9. Minutes Provincial Council, Vol. III, 13.

10. Ditto, P. 14.

last at New Castle, for summoning the Representatives to meet him in Assembly, on the 13th Inst. at New Castle, he intended accordingly to set out for that place tomorrow morning.

This entry has some interest because it shows how soon Keith visited the Lower Counties. After taking oaths of office on June 1st he went to New Castle on June 3, 1717¹¹ and issued writs for the Assembly to meet on June 13th.

On June 13, 1717 Keith first met the Representatives of the Lower Counties in Assembly. From this point it will be attempted to confine the consideration to Keith's connection with the Lower Counties as distinguished from the Province of Pennsylvania, but it will not be an easy task as, at times, the line of demarkation between the two became quite shadowy.

When Keith first met the Assembly on June 13th he delivered an address¹² in which he said he had been among them before in a different capacity, meaning, I suppose, when he had been Surveyor of Customs. Keith's address was followed by one from the Assembly, directed to the King and signed by Jasper Yeates as Speaker. No Legislative minutes of the period are in existence so it is impossible to determine just what matters were discussed, but the Assembly's address of welcome to the new Governor was not made until some five days later, on June 18th.

On July 4, 1717 Governor Keith represented to the Provincial Council that the Lower Counties thought it requisite that someone actually living in those Counties should be a member of the Council, and Col. John French of New Castle was made a member because, so the record states,¹³

he appeared, in the opinion of the Board, to be particularly entitled to all the distinguishing marks of Respect and favour that could be shown him for his known abilities to serve the Government and his fidelity to the Proprietor and his interest manifested upon all occasions.

11. H. S. P. Penn Mss. Off. Corr. Vol. I, P. 61.

12. 23 Pa. Mag. 491.

13. Minutes Provincial Council, Vol III, P. 18.

Keith having determined to visit Kent and Sussex Counties came to New Castle and on August 3, 1717 set sail for Lewes accompanied by several Gentlemen including Rev. George Ross, Rector of Immanuel Church at New Castle.¹⁴ They arrived at Lewes August 5th and stayed there until the 10th when the party proceeded to Dover and remained there for some time. At Lewes Governor Keith delivered a long charge or speech to the Magistrate, a copy of which is in the Congressional Library. Mr. Ross held service in the Court Houses and baptized a large number as a clergyman had not been in those parts for a long time. On his return, on Sept. 20th, Governor Keith wrote to the Society for the Propagation of the Gospel in Foreign Parts¹⁵ as to the activities of the missionaries and, probably prompted by his recent association with Mr. Ross, said

and herein I cannot, but in justice particularly recommend Mr. Ross, his capacity, pious exemplary life and great industry to your favorable notice and reward.

In October, 1717¹⁶ a new Assembly was, as usual, chosen in the Lower Counties, and Governor Keith requested members of the Provincial Council to accompany him to meet the Assembly at New Castle. On Keith's return the record shows that on November 12th the Governor gave to "James Logan one of the Proprietor's Commissioners of Property a scheme concerning the quit rents for the Lower Counties."¹⁷ It is quite possible that this was the incident that was always cited by Logan in later years when Logan and Governor Keith became quite spirited adversaries. Quit rents had almost ceased to be paid in what is now Delaware. The conflicting claims of Penn and Baltimore for the soil, together with the widely accepted view that the Lower Counties in fact belonged to the Crown, had all contributed in making the payment of quit rents practically cease. Logan always said that Governor Keith went to New Castle and drew and had passed by the Assembly a Bill for abolishing

14. *Perry-Historical Collections P. E. Church, Delaware*, P. 33.

15. Ditto—"Pennsylvania" P. 110.

16. *Minutes Provincial Council*, Vol. III, P. 32.

17. Ditto.

quit rents. When the Bill was presented to the Governor for his approval he said he could not sign it unless it was agreed to by the Penn Commissioners of Property of whom Logan was one. Logan always said¹⁸ that Keith knew the Commissioners could not approve the Bill and thus sought to alienate the people from the Proprietor and to obtain personal popularity for himself. Certain happenings seem to make the charge somewhat plausible. Keith differed from every other Governor under the Penns. He had no independent fortune of his own, was always in debt, and, with the exception of a small return from licenses and commissions, was entirely dependent upon the salary allowed by the Assemblies of the Province and Lower Counties. These Assemblies often made the allowance depend upon the Governor's approval of legislation.¹⁹ From the beginning Keith sought favor with the people. Every other Governor aligned himself with the appointive power, the Proprietors, and their difficulties were always with the people or with their Representatives in Assembly. Keith, alone, notwithstanding the fact that he was the only Governor of noble birth, from the first curried favor with the people and every debatable activity was in reduction of the Proprietor's rights or prerogatives. And so the matter of the quit rents may have been one of the first of a series of incidents so prejudicial to the interests of the Proprietary family that they eventually led to the removal of Keith.

The year 1718, like so many of the years of Keith's governorship, was occupied largely in negotiations, treaties and settlements with the Indians. These arrangements have no place in the present discussion because the Lower Counties, as such, had no Indian problems and took no official part in their solution. It may not be out of place, however, to merely mention that the foremost ambassador to the Indians and conciliator of the difficulties with them was Col. John French of New Castle. He arranged or participated in almost every treaty for a great number of years, and for these services and in preserving the

18. H. S. P. Penn Mss. Off. Corr. Vol. II, P. 199.

19. Shepard Proprietary Gov. in Pa. 455 N.

Province from the claims and incursions of those from Maryland there was, on February 15, 1718 conferred on Colonel French the quaint title of "Guardian of the Marches of the Province and Territories,"²⁰ a title, as Logan says, "the Law of England is Stranger to" but which he says was prompted by French's "indefatigable industry and hearty zeal."²¹

In February, 1718 occurred another incident indicative of the attitude of Governor Keith toward the lessening of the Proprietary prerogatives and toward the increase of the influence of the Crown in matters of Colonial regulation. It had always been the established practice to have commissions and other similar documents issue in the name of the Proprietor and be tested or approved by the Lieutenant Governor. Keith attempted to change this arrangement and have the documents issue in the name of the King and be tested by the Lieutenant Governor. The matter resulted in a long and keen debate²² but the Provincial Council refused to make the alteration and the former style was continued.

It was probably in the year 1718 that an incident occurred which was always cited by Keith's enemies as a signal example of his action in depriving the Proprietor of the place he had always held in the Lower Counties. Since Penn's acquisition of the Lower Counties there had been used a seal bearing Penn's Arms, his name and his title. In 1718 (probably) an Act was passed constituting a small silver seal in the Governor's possession as the Seal of the Lower Counties to be affixed to every document and paper requiring a seal. This seal was the seal of the Naval Office at New Castle and bore no name of Penn nor any reference to him. The Act is found in the Codification of Delaware Laws of 1741. This adoption of a new seal is repeatedly mentioned in criticisms of Keith and on October 22, 1726 Governor Gordon says that Keith

put their Assembly on laying aside Mr. Penn's seal in lieu of which he substituted a trifling small one that had formerly belonged to the Naval Office

20. Minutes Provincial Council, Vol. III, P. 37.

21. H. S. P. Penn Mas. Off. Corr. Vol. I, P. 119.

22. Minutes Provincial Council, Vol. III, P. 33-36.

for New Castle to be used for the Great Seal for all commissions and from that time suffered not even the Proprietor's name or title to be used in any public act.

During the year 1718 the Assembly of the Lower Counties must have anticipated that death would soon close the career of William Penn, the Proprietor, for an Act was passed in that year at New Castle, which provided that in case of the death of the Governor in Chief the powers of the Deputy or Lieutenant Governor shall continue as before until further order from the Crown or from the heirs of the Proprietor, whichever should first happen.²³ The Act of Assembly proved of service for on July 30, 1718 William Penn died and for sometime much confusion resulted. It seems somewhat incongruous to read in Watson's Annals that on the death of Penn, the great peace-loving Friend, that Governor Keith had a "military performance."²⁴

Immediately on the death of Penn, his son William Penn Jr. claimed the Government of both the Province and the Lower Counties and issued Instructions to Keith to call the Council and proclaim him, William Penn, Jr., as Proprietor. Keith had just received the Instructions on April 28, 1719²⁵ (the day after the Assembly adjourned) and laid them before the Provincial Council. Neither Keith nor the Council seemed particularly averse to the making of the Proclamation but did indicate that it should be done with full solemnity and in the presence of the Assembly, so a special session of the Assembly was called for May 6th. The minutes record²⁶

and it being likewise observed that the Three Lower Counties on Delaware being equally effected with the p'vince by this change, and that Jasper Yeates and Coll. John French, Esq. two members of this Board, residing there ought to be summoned to attend at this solemnity.

Before the Assembly met the conditions had somewhat changed. Captain Annis had arrived from England with a

23. Ditto, P. 74; 1 Pa. Archives 169.

24. Watsons Annals, Vol. 1, P. 110.

25. Minutes Provincial Council, Vol. 3, P. 64.

26. Ditto, P. 65.

probated copy of the Will of William Penn from which it appeared that William Penn, Jr. had no right to the Government of Pennsylvania. Keith, inclining toward the side of primogeniture and of the heir at law and sympathizing with the elder branch of the Penns, made a colorless speech to the Assembly in which he asked that body for its opinion and advice. This advice was given frankly and to the effect that William Penn, Jr. should not be proclaimed Proprietor until further advices had been received. This address of the Assembly was presented to the Council on May 11, 1719. Here opinion differed. The Record states²⁷

The address being again Read and Considered each member separately delivered his sentiments, and it is the opinion of a majority above two to one, that seeing the Govr. upon his first receipt of the commission had by the unanimous advice of this Board called the Assembly, in hopes as it was then expected that the said Commission would with their concurrence be more advantageously published, and more effectually to Mr. Penn's service, altho' it now appears that by means of other Letters or accounts since Rec'd by Capt. Annis, The Assembly have fallen into sentiments Different from what had been expected; Yett should the Governor, through his zeal for Mr. Penn's service, proceed immediately to publish that commission in direct opposition to the advice of the Assembly, it would be attended with consequences much more injurious to the interests of Mr. Penn, by Raising the divisions in the Country, from whence disadvantageous representations to the Court and Ministry might be made, than anything that could possibly follow from some small delay. Tis therefore the advice of the said majority, that the Governor would be pleased to delay the publication of the said Commission until such time as he shall receive further directions from the Heir to proceed therein.

The Resolution does not seem to be antagonistic to William Penn, Jr. but rather as favoring a course advancing his interest. We do not know the vote but do know that ten councillors were present. A majority of "over two to one" in a membership of ten indicates at least seven opposed to the Proclamation. Charles P. Keith in his "Chronicles of Pennsylvania"²⁸ thinks Robert Assheton was certainly one of the three.

27. Ditto, P. 68.

28. C. P. Keith *Chronicles of Pa.* Vol. II, P. 648-9.

It seems quite possible that the two Delaware men, Jasper Yeates and John French, were the remaining two.

The next few months show little in Keith's activities of particular interest to the Lower Counties. His arbitrary actions in dismissing Robert Assheton from the Council²⁹ and removing him as Naval Officer, while constituting a ground of complaint against the Governor, more closely concerned the Province of Pennsylvania than they did the Lower Counties.

In March Governor Keith went on a trip to Virginia and, while there, evidently succeeded his father as Baronet for after April 22, 1721³⁰ he is always called "Sir William Keith, Baronet." This seemingly unimportant item is in reality of importance to a student of Delaware History. As I have stated we have no Legislative proceedings of Keith's time but we do have a number of laws to which no definite date can be given. It was always the custom to mention the name and title of the Governor in the Preamble to the Act and so we can definitely determine just which Acts were passed before or after April, 1721.

Keith has shown many evidences of arbitrary conduct and it would have been difficult at this late day to assign any connection between his succession to the Baronetcy and his increasing disregard for the Proprietary interest had not such connection been suggested by a contemporary. On December 12, 1722 James Logan writing to John Penn says that when the title of Knighthood fell to Keith on the death of his father that Keith changed "as if his very fabric had been changed with his appellation."³¹

In November, 1721 Jasper Yeates, a member of the Provincial Council had died, and Governor Keith had suggested the name of Henry Brooke, Collector of Customs at Lewes, as his successor. The Governor stated³²

29. Minutes Prov. Council, Vol. III, P. 71.

30. Ditto, P. 115 Chronicles of Pa. Vol. II, P. 653.

31. H. S. P. Penn Mss. Off. Corr. Vol. I, P. 117

32. Minutes Prov. Council, Vol. II, P. 143.

that it has been usual, and is still expected by the Inhabitants of the Lower Counties, that there should always be at least two members in the Council from those Counties

so Mr. Brooke was elected.

The year 1723 is chiefly noted as marking the beginning of the issuance of paper money in Delaware. On March 2, 1723, an Act had been passed in Pennsylvania authorizing the issuance of paper money and a month later, in April, 1723, a similar act was passed in these Lower Counties. It is not my purpose to discuss the issuance of the money as much of the information has been collected in a separate and printed brochure on the subject.³³ James Logan had been an opponent of the system in Philadelphia and throws some light on its adoption in Delaware.

On May 7, 1723 James Logan wrote to Henry Gouldney in London as to the Pennsylvania Bill for paper money, and said³⁴

our Governor lately called the Assembly of the Three Lower Counties together who at their first meeting and as I am informed for some days afterward opposed his proposition to strike some of ye same there also not one member except two appearing for it. Measures were taken however to gain a majority and they have now passed an Act for raising 5000 pounds upon the credit and for the use of the Counties. This I take to be the most injurious Act that has ever been done to this Province for these Counties depending almost entirely on this Town for their market and having no Navigation or trade of any other kind than shopkeeping or small stores among themselves since we cannot use their money they will be disjointed from us and drove to other measures.

This sad and distressing prediction, however, did not materialize.

An additional 6000 pounds of paper money was authorized and issued in November, 1723. On September 21, 1726, James Logan with some 59 other leading citizens of Philadelphia met and agreed to take the money of the Lower Counties

33. Published 1928 by Wilmington Trust Co.

34. H. S. P. Penn Mss. Off. Corr. Vol. I, P. 125.

to the same extent as the money of the Province of Pennsylvania and without distinction.

In 1729 an additional 12000 pounds were issued by the Lower Counties, and on January 1, 1730, a written agreement was signed by 117 of the leading citizens of Philadelphia, by the terms of which the paper money of the Lower Counties would pass current in the Province, and the agreement concluded with the signers "promising further to do what in us lyes toward abolishing all distinction between the said currency and that of this Province."

To further the maintenance of the value of the Delaware money the Trustees of the Pennsylvania Loan Office in 1730 published the following advertisement:—

Whereas many gentlemen, merchants, and others, Inhabitants of this Province, have unanimously agreed to take and receive in payments Bills of Credit already emitted and made current in the Three Lower Counties upon Delaware, as the same pass there, and in order to facilitate the same and give said Bills of Credit a more free currency in this Province without scruple; The Trustees of the General Loan Office of Pennsylvania have also agreed to take and receive the said Lower Counties Bills of Credit of all borrowers for payments now due in the said Loan Office not exceeding one fourth part of the annual quotas to be paid in.

Signed on behalf of the said Trustees at Philadelphia the 25th of March, 1730.

William Fishbourne.

The issues of paper money in Delaware were well supported and it soon was accepted in Pennsylvania at its face value and the relations of the two colonies were not disturbed.

In 1724 occurred the culminating incident showing Keith's disregard for the Proprietaries' interest and his determination to govern the Lower Counties solely by reason of the Royal approval to his appointment rather than by reason of the appointment itself by the Proprietors. The incident is the most interesting of his career and seems to have been undertaken deliberately and with utter disregard to the opinion of the Proprietors or their adherents. The incident took place

on May 28, 1724 and on May 14 (just two weeks previously) he had written to Hannah Penn³⁵ in which he had made no reference to his intention—an omission which must have been intentional. May 28th was the King's Birthday (always a day of celebration) and Keith made a gala occasion of it. With Lady Keith and his retinue he came to New Castle and created a new political subdivision. He proclaimed a Charter for the City of New Castle³⁶ but it was no ordinary charter as we would understand it. He made the boundaries to commence at the Town proper and run northerly to the Christina Creek and thence to Christina Bridge, and thence by a straight line to a point where Red Lion Creek empties into the Delaware and thence to the place of Beginning. These boundaries would seem to cover almost 40 square miles or over 25000 acres. The officers were to be a Mayor, Recorder, six aldermen, a clerk, six assistants, a chamberlain or treasurer, a sergeant at mace, two constables and two overseers of the poor. The Sheriff and Coroner of the County should act also for the City. A seal was prescribed—a hand grasping an anchor over which should be the words “nec tollitur undis” which I translate to mean “and it is not raised from the waves.” Courts were set up, separate from the County Courts, for the trial of civil and criminal cases and above all the City was to be entitled to two Representatives in the General Assembly to be annually chosen. The Charter provides with meticulous care for the filling of the offices. The Governor should appoint the Mayor (who must formerly have been an alderman) and the Recorder; the entire body selected six aldermen for the ensuing year; the six assistants, chamberlain or treasurer, constables and overseers of the Poor were annually elected by the people. The marshall or Sergeant at Mace was appointed by the Mayor with the advice of the aldermen and the duties of this office are thus set out

and we will and do for us and our successors by these presents give and grant unto the said Mayor and Commonality of the said City of New Castle and to their successors from henceforth that the present and succeeding Mayors of the said City shall and may have a mace borne before him and them.

35. Ditto, P. 145.

36. See Appendix. Copy in H. S. P.

The Mayor, Recorder, Aldermen and Assistants formed the "Common Council" and these were empowered to make ordinances with the provision that the Mayor and at least two Aldermen must consent.

The Charter filled all the offices. John French was made Mayor and Clerk of the Market; David French, Recorder; Samuel Lowman, Robert Gordon, Thomas Janvier, Richard Grafton, Anthony Houston, and John Welch were Aldermen and James Sykes, John Finney, Wessel Alrichs, David Miller, John VanGezel and Richard Bermingham were Assistants; Robert Gordon was Chamberlain while John Rees and Nicholas Meers were Overseers of the Poor and James Floyd and John Kent, Constables. John Russell held the quaint title and office of Marshall or Sergeant at Mace.

After the publication of the Charter the Governor made a speech which, with the proceedings, was afterwards published as a Broadside,³⁷ which also states:

The Governor and his Lady were afterwards entertained at dinner by the Magistrates, where the King's health, his Royal Highness, the Prince of Wales, and all the Royal Family, with many other Loyal Healths were drank, with several discharges of the Cannon belonging to the Place.

On June 1st the new corporation presented an address to the Governor in answer to his speech. The new dignity and new name of City of New Castle seem to have been immediately utilized, for the Broadside bearing the speech, proceedings and address also bear the subscription "Printed and sold by S. Keimer, on High Street (Philadelphia) and W. Read in the City of New Castle."

Even without the instance of the Charter the relations between the Proprietors and Governor Keith had become almost unbearable. Prior to May 14, 1724 Keith had not written to Hannah Penn since July 5, 1722³⁸ and that letter had been a mass of charges against James Logan, the most faithful and consistent friend the Penns had ever had. Hannah Penn, while

37. Ditto.

38. H. S. P. Penn Mss. Off. Corr. Vol. I, P. 147; Boundary Case Exhibit #481.

deeply resenting the letter had not answered it until May 20, 1724,³⁹ just eight days before the granting of the New Castle Charter of which, of course, she was then ignorant. This letter is the bitterest and most humiliating that could be imagined as coming to a Governor from a Proprietor. He was expressly told that, except for his family, he would have been disciplined before. He was expressly told that no person should be made a member of Council without the approval of at least two-thirds of the existing Council and if anyone had been so admitted he should be at once excluded. Keith had called persons to Council without consulting the Board. He was told that no business should be transacted with the Assembly—that there should be no speech or written message—without the approval of Council and that no Bill could become a law without Council's concurrence. All these things had been done by Keith alone until it was said that Council had become a mere cipher in the Government. Keith had removed James Logan as Secretary and appointed another. He was ordered to reappoint Logan and reinvest him with the seals and that Logan should keep in his possession all the Minutes of Council and that every act (except Military Commissions and marriage licenses) should be executed and sealed in Logan's office.

It is not difficult to imagine Keith's feelings upon the receipt of this letter. It is certain that he strongly resented it. He is said to have shown it to a number of people, including Governor Spotswood of Virginia.⁴⁰ Spotswood was going to England and Keith sent an answer by him saying that some of the instructions were contrary to the rights of the people and that he could not abide by them. Keith laid the letter before the next Assembly for the Province and that Assembly forwarded a Remonstrance against the tenor of the Instructions.

Keith knew, however, that the letter had been written before his grant of the New Castle Charter and had been based merely on his former and more general acts. He must have realized that in the Charter he had gone much farther than ever

39. Ditto.

40. 39 Pa. Mag. 201.

before. In that Charter he had, with no warrant of statutory law, changed the very fabric of the Frame of Government. He had set up new Courts, created new judges and officers and, above all, he had made two new and additional members of the Assembly. He had done all this without one expressed word of the interest or authority of the Proprietors but solely in the manner of a Royal Governor or as absolute Proprietor himself.

These things were the occasion of much criticism of Governor Keith and the cause of unrest, but the matters just mentioned affected only the Lower Counties. The New Castle Charter did even more. The Northern boundary of the Lower Counties had always been fixed at 12 miles from New Castle. When New Castle was created a City with increased boundaries reaching to the Christina River a violent and bitter boundary dispute arose between the Province and the Lower Counties concerning the boundary between New Castle and Chester Counties. James Logan writes of the controversy⁴¹

those of the Province insisted on the circular line of 12 miles from New Castle run in 1701 by the Proprietors order, but others urged that New Castle now (by this Charter) extended to 5 miles distant from ye Town and that therefore that these 12 miles should be measured from that extent, which would take in a ring of 5 miles more out of the Province and throw even the Town of Chester into New Castle County, of which endeavors are now used to deprive you. That this was a formed design at that time and that it was resolved to quarrel with you and therefore with me in course I think is not to be doubted.

What became of this prematurely great City of New Castle? The facts do not bear out the statement by many writers that the Charter never went into effect. It seems clear that in October, 1724 and October, 1725 members of Assembly were elected for the City of New Castle.⁴² It is true that they were not seated but their election makes it quite evident that the Charter was in operation. It is also quite clear that the Courts created by the Charter were being held for Governor

41. H. S. P. Penn Mss. Off. Corr. Vol. I, P. 153, 185.

42. Ditto, P. 247.

Patrick Gordon (successor to Governor Keith) in writing to John Penn some three years later (July 7, 1727) says⁴³

having had several complaints from divers people of the County of New Castle of the oppression they lay under by the Mayors Court of New Castle held by virtue of Sir William's sham charter creating that place into a city therefore with the advice of the Council I have discharged their acting as Magistrates and reduced that pretended city to its primitive township.

Rev. George Ross, missionary at New Castle, in a letter dated March 1, 1727, says⁴⁴

New Castle, a little while ago was dignified with the immunities and privileges of a city, but the Worthy and Honorable person, Sir William Keith, Baronet, who created it into a corporation being superseded and his successor calling in question the validity of the authority by which it was incorporated, it is contented at present with its former condition in hopes of a more favorable opportunity to reassert its rights and liberties.

For some time, and prior to the New Castle Charter, the question of a new Governor to succeed Keith was being discussed. James Logan had suggested the matter on February 11, 1724 in a letter to John Penn.⁴⁵ It seems fairly clear that Keith himself thought that the power of his own friends, the litigation and difficulties within the Penn Family and Keith's great popularity with the mass of the people in the Province would make it impossible for him to be removed or superseded. Nothing else would explain his actions and to these may be added the contemporaneous testimony of Jeremiah Langhorne a leading citizen and Chief Justice of Pennsylvania. He says⁴⁶ in 1724 that Governor Keith invited the Assembly "to take a glass and pipe with him" and made them a long address in which he recounted all he had done for the people and asked their approval. Langhorne continues

You'll plainly discover what is meant by all this. I think it means no more than to raise compassion in the populace, whom you know he has courted

43. Ditto, P. 281

44. Perry Historical Collections P. E. Church, Delaware, P. 44.

45. H. S. P. Penn Mss. Off. Corr. Vol. I, P. 135.

46. Memoirs Hist. Soc. of Pa. Vol. II.

in the most abject manner; for I believe he is so far from thinking (if he is to be believed in anything he says) that it is in the power of the Proprietary's family to displace him, under the present posture of their affairs, that he thinks it impossible for them to remove him. And should any of that family come over as Governor (without the Royal approbation) I am of the opinion he would not resign.

The matter was soon to be tested. On January 7, 1726 Major Patrick Gordon, a Scotchman who had served in two wars in Flanders, was appointed Governor and the approval of the Crown was sought. This was resisted by Governor Spotswood on behalf of Governor Keith⁴⁷ who asked that Keith be allowed to remain as Governor until the legal disputes of the Penn family were settled and that he remain as Governor of the Lower Counties until the Penn family could show a title to those Counties. In this manner Keith kept in the foreground the insistent claim of the defect in Penn's title to the Lower Counties and expressed his hope that the Crown would assume direct charge of them. Another petition in favor of Keith was presented by a group of his principal English creditors. They asserted that they had financed Keith at the time of his original appointment and the removal of his family to America and had not been repaid. They said that from his salary Keith was discharging the debt and asked that Keith be continued as Governor so that the salary would be continued for that purpose. Notwithstanding the power of Keith's friends, on April 18th Patrick Gordon was confirmed as Governor and as successor to William Keith.

While Gordon was expected to come to America immediately it seems quite possible that Keith expected to forestall him and take some extraordinary measures as to these "Lower Counties." On June 11, 1726 James Steele of Philadelphia wrote to Robert Shankland in Sussex⁴⁸

Being informed the Gov. had issued his writs to call the Assembly of the Lower Counties to meet him at Dover it is expected that some extraordinary matters will be attempted especially when we consider in what manner Sir

47. 39 Pa. Mag. 201.

48. 1 Pa. Arch. 187.

William was pleased to part with you at New Castle and the season of ye year which so much requires every countryman to be at home about his own business * * * we expect a new Gov. for the Province and Counties every day.

I do not know the matters to which this letter refers nor how Keith had parted from the Assembly at New Castle in April or May, but evidently whatever was proposed failed of fulfillment, for eleven days later (June 22) Governor Gordon arrived and the rule of Keith was at an end.

It would be pleasant if it could now be recorded that Keith gracefully accepted his successor with acts and offers of cooperation, but any student of the period who is careful of his facts can indulge in no such liberties. Keith made all the trouble that he could upon Gordon's first arrival but of course he could not prevent the Proclamation of Gordon's commission nor his assumption of office on June 22, 1726.⁴⁹ Logan on June 24th was reinstated as Secretary of the Province and on June 27th the Governor, Council and a number of Gentlemen from Philadelphia rode to New Castle. They were met at the boundary line by the principal residents of New Castle County and went to the Court House at New Castle, where the Commission was again proclaimed.⁵⁰

In October, 1726 Keith was a candidate for the Assembly both in Philadelphia and in New Castle. He was defeated in New Castle County but was elected as a member in Philadelphia, but was defeated for the Speakership to which he aspired, and on the day of the meeting he rode into Town at the head of a cavalcade of 80 horsemen.⁵¹

In October, 1727 Keith was again elected Assemblyman⁵² in Philadelphia. During all this time he was scheming and plotting against the Proprietors and in the Lower Counties was promoting an address from that Assembly to Lord Balti-

49. Ditto, 189.

50. Minutes Prov. Council, Vol. III, P. 252.

51. Chronicles of Pa. Vol. II, P. 689.

52. Ditto, P. 696.

more. To such extent had Keith's antagonism gone that Governor Gordon wrote to John Penn September 23, 1727⁵³ stating that he (Gordon) had been friendly with the Assembly

notwithstanding the many endeavors made by Sir William and his friends to disturb our quiet. His head and pen are constantly employed in some contrivance or other to distract the people as you see by his printed "advice to all true Patriots" in answer to the "Advice and Information" wrote by one of our friends. I dread very much the effects of his restless malice at our ensuing elections—meantime all care is taken to prevent them. But if he is not, by some means or other, removed from this country it will be scarce possible to keep the people in their duty and I must leave it to your serious consideration to think of some proper way for our relief.

So strained were the personal relations between Keith and Gordon that there was a persistent tradition that Gordon had challenged Keith to a duel. C. P. Keith in his *Chronicles of Pennsylvania*⁵⁴ says he can find no contemporaneous proof of this incident. The tradition is given in 1828 by a lady who, John Francis Fisher said, had greater knowledge of Colonial matters than anyone living. She says⁵⁵ that

Keith was so uncivil to Gordon that the old veteran proposed to him once at New Castle to take a boat and go over on the Jersey shore where they would be on an equal footing.

The difficulties, however, were soon removed. Keith had always been in financial difficulties and now, deprived of all salary and perquisites as Governor, with no income whatever, he became deeply involved. About March 18, 1728 he suddenly left Philadelphia leaving his family whom he never saw again.⁵⁶ It is supposed that, to escape his creditors he allowed the ship to leave Philadelphia and followed it in a row boat to New Castle accompanied only by one friend, William Chancellor. It is said⁵⁷ that at New Castle he went

53. H. S. P. Penn Mss. Off. Corr. Vol. I, P. 129.

54. *Chronicles of Pa.* Vol. II, P. 688.

55. *Memoirs of Hist. Soc. of Pa.* Vol. II, P. 31.

56. *Chronicles of Pa.* Vol. II, P. 697.

57. *Memoirs Hist. Soc. Pa.* Vol. II, P. 31.

with one small trunk on board Capt. Colvell's ship, then lying before that place, and bound for Europe and that he stayed in her two days so very privately that not one in the place knew of it beside the Collector, his son in law, and the Parson, George Ross, for that all the other inhabitants had the first news of his departure from this place after the ship had sailed.

Keith wrote a letter to the Assembly from the Capes saying that he had suddenly been called to England and he intimated he might return but he never did.⁵⁸

Keith was not without friends during the rest of his life, but he never had regular or lucrative employment. He is said to have first proposed in 1728 a stamp tax on the Colonies which if then adopted would probably have been more effective than the Stamp Act of 1764.⁵⁹

After Governor Keith had left the country one finds but few items in which he is mentioned. One reads that a person living at Principio Iron Works was travelling in Pennsylvania with his slave, and that at Marcus Hook the slave escaped and swam the Delaware River. The slave is reported as an Indian, about 30 years of age, and as having formerly belonged to Sir William Keith.

One also finds that in 1736 Sir William Keith, then in England, had made deeds for his valuable estate at Horsham in Pennsylvania, to one William Henderson, but that Lady Keith refused to accept that part of the consideration money of the transfer intended for her and refused to give possession of the property.

On January 6, 1731, the minutes of the Vestry of Immanuel Church at New Castle record⁶⁰

Ordered that the Church Wardens, Vestrymen or some of them do purchase of the Lady Keith the Bell now used for the church at any rate not exceeding two shillings p. pound and that it be bought in the name of the person who shall happen to bargain for the same or such other way as to them seem most proper for securing the same for the use of the Church.

58. 1 Pa. Arch. 188, 211.

59. Chronicles of Pa. Vol. II, P. 698.

60. History of Immanuel Church (Holcomb) p. 109.

The records do not disclose subsequent details. It was probably the same bell which had been used by the Dutch prior to the English Conquest and over which, as shown by the Church records in 1710, former Governor Gookin had exercised authority.⁶¹

Sir William Keith in 1722 bought a large tract of land near Iron Hill, New Castle County, Delaware. He had laid out a settlement called "Keithsborough," and there maintained a grist mill and built an iron furnace and forge. While tradition assigns a definite location there to a so-called "Governors House" it is doubtful if Governor Keith actually lived there at all, as he sold the property in 1726 and all of this time he lived at Horsham.⁶²

Keith was imprisoned for debt in 1734 and discharged in 1735. After many vicissitudes and disappointments, Sir William Keith died November 18, 1749 in his 70th year at the Old Bailey Prison in London, although, it is said, he was possibly not a prisoner at the time.

It is difficult after all these years to form a true estimate of Sir William Keith, nor is it my purpose to attempt to do so. James Logan who knew him intimately says of him in 1722⁶³ (at the height of his career)

The Governor is a very able gentleman excellently well qualified for a public post and his failings have mostly been to his own loss and of those who trusted him in money matters.

At another period it was generally reported that Governor Keith would be removed and it was rumored that former Governor Gookin would again be appointed. This was at a time when the relations between Keith and Logan were very strained, but Logan shows a liberality of mind as he indicates a preference for Keith and attributes Keith's faults to the seeking of favor with the supposedly more powerful elements of support. Logan says on April 9, 1723,

61. History of Immanuel Church (Holcomb), p. 81.

62. Battle of Cooch's Bridge (Cooch) p. 80-81; Forges and furnaces of Province of Penna. (1914) p. 38; Deed Records, New Castle County, G-1-351, H-1-165.

63. H. S. P. Penn Mss. Off. Corr. Vol. I, p. 109.

I shall only observe upon it that an ingenious man, with many failings, is still preferable with me to a stupid, obstinate or conceited creature, for the Govmt really requires a Disposition more generous than is to be mett with in all tempers and kinds of Education. If our Govr has any faults, 'tis believed they are very much owing to his close application to some of ye arts of rising at Court.

An unpleasant view is given in a diary of William Rawle in 1786 when Rawle was visiting Graeme Park which had been built by Keith. Rawle undoubtedly speaks of Keith's unfortunate days after he had been superseded as Governor, and Rawle had not been born until after Keith's death so had acquired his knowledge from others. Rawle says⁶⁴

There was some residue of expense and amplitude about Graeme Park which gave me, however, no sensation of veneration or pity. I have little esteem for Sir Wm. Keith—and less for his Lady—and when I saw numerous stone buildings, without inhabitants, occupying the idle, lonely scene with an immense useless bulk, I figure to myself the restless, discontented, dishonest spirit of Sir William—counteracting the sullen and unsocial genius of his prouder helpmate—she never deigning to cross a threshold which happily separated her from the ignoble creatures of mean existence around her—he, always abroad in the plans of destroying the peace of a Province he was no longer allowed to govern—both finally poor, old and despised. Sir William I believe died in the Fleet or very soon after quitting it. She lived after her wealth was gone and her friends, and wearied and secluding herself from all mortal knowledge in the back room of a small miserable dwelling in Third Street. She struggled through several years of a deficiency of all the comforts of life of which the penalty was enhanced by her malignant and impatient temper, her consolation consisting in some small pieces of plate impressed with the family arms which hunger or disease could not prevail on her to part with, she at length expired, hating herself and forgotten by the world.

Truly this is a sad and unpleasant picture of the end of a noble Governor and his Lady. One's mind involuntarily turns back to the night of May 28, 1724, when, at the height of his popularity and power, Governor Keith attempted to create in Delaware a vast municipality—presided over by a Mayor before whom a mace should always be carried as symbol of his authority. One thinks of the great celebration of the day and of the dinner afterwards, with the Magistrates and the Gov-

64. 28 Pa. Mag. 533.

ernor and his Lady and, presumably, the other ladies and the officers of the new corporation in attendance; one thinks of the brilliant clothes and the speeches of that occasion in New Castle when all the "loyal toasts" were drunk with the booming of the cannon "of the place"; one thinks of the local quidnuncs crowding round satisfying their curiosity as to the events of the day and the promises of the morrow. Then one realizes again the end of the noble Governor and his Lady and one appreciates the truth of the aphorism. *Sic transit gloria mundi*.

It seems as if fate had issued a premonitory warning to Governor Keith in ordaining as the motto of his coat of arms—"Remember Thy End."

KNOWN ADDRESSES OF GOVERNOR KEITH IN
CONNECTION WITH THE LOWER COUNTIES

1717

June 13,	1st address to Assembly at New Castle	23 Pa. Mag. 491
June 13	1st address of Assembly to King	23 Pa. Mag. 492
June 18	1st address of Assembly to Keith	23 Pa. Mag. 493
June 18	Answer of Keith's	23 Pa. Mag. 497
Aug. 5	Charge to Magistrates in Lewes	Library of Congress

1720

Oct. 21,	Address to Assembly, 2 Am. Weekly Mercury (Reprint)
Oct. 21	Answer by Assembly, 2 Am. Weekly Mercury (Reprint)

1721

Oct. 23	Address of Gov. Keith to Assembly, 2 Am. Weekly Mercury 127 (Reprint)
Oct. 24	Answer of Assembly, 2 Am. Weekly Mercury 127 (Reprint)
Oct. 25	Address of Governor Keith & answer, 2 Am. Weekly Mercury (Reprint)
Nov. 3	Address of Governor Keith & answer, 2 Am. Weekly Mercury 127 (Reprint) (the day the Assembly broke up)

1722

Oct. 22	Address to New Castle Assembly, 3 Am. Weekly Mercury 127
Apr. 25, 1723,	Address to Assembly (of 1722) 4 Am. Weekly Mercury 49

1723

Oct. 23,	Address to Assembly, 4 Am. Weekly Mercury 116
Oct. 24	Answer of Assembly, 4 Am. Weekly Mercury 116
Nov. 2	Further address and answer

1724

May 28,	Charter of New Castle	Broadside.
---------	-----------------------	------------

Charter of New Castle

GEORGE by the Grace of God of Great Britain, France and
Ireland King Defender of the Faith &c

To whom these presents

shall come Greeting—

WHEREAS our loving Subjects John French Robert Gordon Samuel Lowman Richard Grafton David French Thomas Janvier Rowland Fitz-Gerald &c with many other Inhabitants in our Town of New Castle appertaining to our Government of the Counties of New Castle Kent and Sussex upon Delaware in North America did by their Humble Petition presented unto Sr. William Keith Barronet by our Royal Approbation & appointment Governour of the said Counties on behalfe of themselves the free-holders & Inhabitants of the said Town Sett forth that the said Town of New Castle is the most ancient Settlement on the Bay and River of Delaware that it has been long Distinguished as a port where a Collector of the Customs has been from time to time appointed and constantly resided and Lastly that it is the Seat of Government in the said Counties where the General Assembly is usually convened all which give the Petitioners hopes that their Supplication and request tho' not to be Granted of right but Grace may nevertheless prove Successful and therefore Humbly pray for our Royal Grant by Letters Patents and the Great Seal of the Government of our said Counties to Incorporate the Free-holders and Inhabitants of the said Town of New Castle into a Body Corporate & Politick with perpetual Succession by what name our sd Governour shall think fitt As Also to Grant such Immunities and privileges as may be thought requisite for the well ordering and ruleing thereof And We being Graciously inclined to promote Trade and Industry with rule and good order amongst our Loving Subjects by granting their reasonable request in that behalf—THEREFORE KNOW YE That We of our Special Grace certain knowledge and meer Motion Have Given Granted Constituted Appointed Ratified & Confirmed—And Do by these presents Give Grant Constitute Appoint Ratify and Confirm unto the said John French Robert Gordon Samuel Lowman Richard Grafton David French Thomas Janvier Rowland Fitz-Gerald and the rest of the Free-holders and Inhabitants of the said Town of New Castle to them and their Successors forever within the Limits Boundaries & Precincts thereof as they are herein after mentioned and described (To Wit). All that Tract of Land—BEGINNING at the Town of New Castle and running up the River Delaware side to the mouth of Christiana Creek and from thence up the said Creek to the Bridge and from the said Christiana

Bridge by a straight line to the mouth of Red Lyon Creek where it falls into Delaware River at Hamburg Island and from thence up the said River—Delaware to the said Town of New Castle the place of beginning To be from henceforth called—known and distinguished by the name of the City of New Castle and the Libertys and precincts thereof and that they the said John French &c and all other the Freeholders and now Inhabitants our natural born Subjects that follow any manual Trade Mistry or Occupation within the said Town & Liberties and their Successors freeholders and freemen or that shall be hereafter made so by Virtue of these presents shall from henceforth be One Body Corporate & Politick in Fact and in name To be from henceforth called known and distinguished by the Name of the City of New Castle and the Liberties and precincts thereof as aforesaid And for the better ordering ruling and Governing the said City and precincts by encreasing Trade and Industry And by depressing Idleness Vice and Immorality We have of our Special Grace certain knowledge and meer Motion Given Granted released Confirmed Constituted Appointed & Ordained And by these presents Do for Us our Heirs and Successors Give Grant ratify Confirm Constitute Appoint and Ordain That there shall from thenceforth be in the said City a Mayor Recorder Six Aldermen a Town Clerk Six Assistants a Chamberlain or Treasurer a Serjeant at Mace Two Constables & Two Overseers of the Poor to be Assigned Nominated and Appointed as is herein after directed and mentioned Which Mayor Recorder Aldermen and Commonality and their Successors now are and at all times hereafter Shall be One Body Corporate and Politick Which We Do by these presents for Us & Our Successors Create Constitute Make and Ordain And That they the said Body Corporate and politick have a perpetual Succession in Deed Fact and name to be known and distinguished in all Deed Grants Bargains Sales Evidences Writings Minuments or otherwise howsoever by the Name of the Mayor Recorder Aldermen & Commonality of the City of New Castle And That the said Mayor Recorder Aldermen and Commonality by the name aforesaid Shall be persons able and in Law Capable to have get Acquire and to receive and possess Lands Tenements Hereditaments Jurisdictions and Franchises as well without as within the said City & precincts to them and their Successors in fee Simple for term of Life Lives or Years or otherwise And also Goods Chattels and other things—of what Nature and Quality soever Also to Grant Bargain Sell Lett or Assign such Lands Tenements Hereditaments Goods and Chattels and Do all other things by the Name aforesaid So that the Yearly Income of such Lands Tenements and Hereditaments So to be acquired and purchased by the said Body Corporate and Politick Do not exceed the Sum of One thousand pounds lawfull Money of our Kingdom of Great Brittain And We Do by these presents for Us and our Successors Give Grant

Ratify & Confirm unto the Said Body politick and Corporate That they shall be persons able and in Law Capable by the Name aforesaid to Sue and be Sued Implead and be Impleaded Appear & be Appeared unto Defend and be Defended in all and Singular Suits Actions Controversies Complaints Demands Causes and matters whatsoever in any of the Courts of Judicature of Law and Equity within the Government of Our said Counties of New Castle Kent and Sussex upon Delaware And also That the Mayor Recorder Aldermen and Commonality of the said City of New Castle and their Successors Shall and may forever hereafter have One common Seal engraved with a hand grasping an Anchor over which shall be put these words—*NEC TOLLITUR UNDIS*—to serve for the Sealing of all and Singular the Affairs and business touching concerning and relating to the said Corporation *MOREOVER KNOW YE* That We have assigned named Ordained Constituted and Appointed And Do by these presents for us and our Successors Assign Name Ordain constitute and Appoint Our well beloved John French Esqr to be present Mayor of the said City and Clerk of the Market thereof hereby Giving & Granting unto him the said John French present Mayor and Clerk of the Market and unto the Succeeding Mayors—Clerks of the Market power and Authority to Do Execute & perform whatsoever relates and appertains to the said Offices—and therein to remain and continue till an other fitt person be Assigned, Nominated Appointed and Sworn into the said office as is herein aftermentioned and directed And We Have Assigned Named Constituted Ordained and Appointed And by these presents Assign Name Constitute and Appoint Our well beloved David French Esqr to be Recorder of the said City to Do and perform all and Singular the Matters and things which unto the said office of Recorder doth appertain and belong to enjoy and continue in the same untill an other fitt person be Assigned Appointed and Sworn into the said Office And We have Assigned named Ordained Constituted and appointed And Do by these presents Assign Name Ordain Constitute and Appoint Our well beloved Samuel Lowman Robert Gordon Thomas Janvier Richard Grafton Anthony Houston and John Welch Esqrs Citizens of the said City to be the present Aldermen of the said City to remain and continue to Execute the Offices of Aldermen untill other fitt persons be Elected and Sworn into the said Offices of Aldermen as is herein after mentioned and directed And We have assigned Ordained Constituted and Appointed And Do by these presents Assign Ordain Constitute & Appoint the present prothonotary of the Court of common pleas for the County of New Castle to be Town Clerk of the said City to continue to Execute and perform by himself or a Sufficient Deputy for whom he shall be answerable all things which unto the said Office of Town Clerk doth belong and Appertain until another fitt person be Assigned Nominated Con-

stituted Ordained and Appointed in his Stead And We have Assigned Nominated Ordained Constituted and Appointed And by these presents Do Assign Nominate Constitute Ordain and Appoint James Sykes, John Finney, Wessell Alrichs, David Miller John Vangezel & Richard Bermingham Citizens of the sd City to be the present Assistants of the same to continue to Execute and perform the Offices of Assistants untill other fitt persons shall be Elected and Sworn into the said offices—And We have Assigned Named Constituted Ordained & Appointed And Do by these presents Assign Name Constitute Ordain and Appoint Our well beloved Robert Gordon Esqr to be Chamberlain or Treasurer untill another fitt person be elected and Sworn into the same And We Have Assigned Named Constituted Ordained and Appointed And Do by these presents Assign Name Constitute Ordain & Appoint That the Sheriffs & Corroners of the County of New Castle from Year to Year respectively shall also be the Sherifs & Coroners within the said City & Liberties and precincts thereof And We have Assigned Named Constituted Ordained and Appointed And Do by these presents Assign Name Constitute Ordain & Appoint John Russell to be Serjeant or Marshall at Mace of the sd City to continue to Execute and perform the sd Office of Sergeant at Mace untill an other fitt person be assigned Appointed and Sworn into the sd Office And We Will And Do for Us and our Successors by these presents Give & Grant unto the said Mayor and Commonality of the said City of New Castle to their Successors from henceforth That the present and Succeeding Mayors of the said City Shall and may have a Mace born before him and them And We have Assigned Named Constituted Ordained & Appointed And Do by these Presents Assign Name Constitute Ordain & Appoint John Rees and Nicholas Meers to be present Over-seers of the poor of the said City untill other fitt persons be Elected and chosen into the said Offices And We have assigned Nominated Constituted Ordained and Appointed And Do by these presents Assign Nominate Constitute Ordain and Appoint James Lloyd and John Kent to be the present Constables of the said City to continue to execute and perform their respective offices untill other fitt persons be Elected and Sworn into the same And We have Given Granted Released & Confirmed And We Do by these presents for Us and Our Successors—Give Grant ratify and Confirm unto the Mayor and Commonality of the said City of New Castle and to their Successors from henceforth That the Mayor Recorder Aldermen and Assistants of the said City shall be called the Common Council of the sd City of New Castle and Liberties or precincts thereof And the Mayor Recorder Aldermen & Assistants aforesaid or the Major part of them of which the Mayor to be One with two at least of the Aldermen shall and may have full power & Authority from time to time to hold the there as occasion shall be make Laws Ordinances Constitutions in Writing and

Common Council within the Courthouse or City Hall of the said City and the same to Alter Diminish and reform from time to time as to them shall seem necessary and convenient for the well Ordering ruling and Governing of the said City and precincts thereof and of the several Tradesmen Victuallers and Artificers and all other the Inhabitants within the Limits of the said City & Liberties or precincts thereof PROVIDED ALWAYS That such Law Constitutions or Ordinances to be hereafter made within the sd City as aforesaid be not repugnant to our prerogative or to that of our Successors or to the Laws of our Kingdom of Great Brittain or to the Laws of the Government of our said Counties anything in these presents to ye contrary in any wise notwithstanding And all such Laws Constitutions & Ordinances—so as aforesaid to be made by the Common Council for the better Ordering and Disposing of the affairs relating to the Corporation aforesaid shall only be binding upon the Inhabitants within the said City and Precincts for the Space of Six Months and unless they be allowed of and Approved by the Governour or Commander in chief of the said Counties for the time being unto whom they shall be transmitted for Confirmation within Six Weeks after they are made & Ordained by the Common Council aforesaid And that such of the Laws Constitutions and Ordinances as aforesaid as shall be approved by our said Governour or Commander in chief shall remain and continue in force untill they are altered or repealed by the Common Council of the City aforesaid And We have Given & Granted And Do by these presents for Us and our Successors Give and Grant power and Authority unto the Common Council of the said City for the time being that they shall or may Make Limit or Ordain Impose or tax reasonable fines and americiaments against all persons Offending against such Laws Constitutions and Ordinances or either of them to be made and established as aforesaid and all & every such fines Impositions & Amerciaments shall & may take demand require and levy by Warrant under the common seal of the said City for the use and benefit of the Mayor and Commonality of the sd City and their Successors by distress and sale of the offenders Goods and Chattles if found within the said City or precincts rendering such offender or offenders the over-plus And We Have Given & Granted And Do by these presents for Us & Our Successors Give and Grant unto our said Governour or Commander in chief OF OUR SAID COUNTIES and to the succeeding Governours or Commanders in chief of the same for the time being Annually on the first Tuesday of the Month of May from henceforth by Notification under his or their hands to the Aldermen and Assistants Elect of the said City the Assigning Nominating and Appointing a fit person being a freeholder of the said City who either then did bear or some time before had born the Office of an Alderman within the same to be Mayor and Clerk of the

Market for the year ensuing which person so Assigned Nominated and Appointed shall within ten days next after such his Appointment before the Governour or Commander in Chief of the said Counties for ye time being or before such persons as shall be by him the said Governour or Commander in Chief impowered to administer the same take his Corporal Oath for the faithful discharge of the said Offices of Mayor and Clerk of the Market of the said City which person shall remain & continue to execute and perform the said Offices of Mayor & Clerk of the Market untill another fitt person shall be appointed and Sworn as aforesaid into the said Offices And We have Willed Given and Granted And Do by these presents for Us & Our Successors Will Give and Grant that the Recorder & Town Clerk of the sd City of New Castle shall be persons of good Capacity and such as are Inhabitants of the said City who shall respectively hold and enjoy the said Office by respective Commissions from Us & from Our Successors under the Great Seal of the said Counties by Virtue whereof they shall hold and possess the said Offices respectively untill other fitt persons be Assigned Appointed and Sworn into the same in manner aforesaid And We have Given Granted ratified and Confirmed and by these presents Do for Us and Our Successors Give Grant ratify and Confirm unto the present Mayor Recorder Aldermen and Assistants above named to the respective Successors in the said Offices Annually on the said first tuesday of the month of May power & Authority to Assemble and meet together at the Court House or City Hall of the sd City of New Castle and then and there by the plurality of votes of the persons aforesaid then and there present to elect and choose Six men of good Capacity out of the principal Freeholders to be Aldermen of the said City for the Year ensuing And We have Given and Granted And Do by these presents for Us & Our Successors Give and Grant unto all the Freeholders and Freemen of the said City & precincts full power and Authority to Assemble and meet together on the said first tuesday of the Month of May Annually in the said Court House or City Hall of New Castle immediately after the Election of persons for Aldermen as aforesaid and then and there to Elect and choose by plurality of Votes six persons of good Capacity Freeholders or Inhabitants of the said City to be Assistants for the Year Ensuing Also then and there to Elect and choose one fitt person being a Freeholder or Inhabitant of the said City to be Chamberlain or Treasurer for the Year ensuing Also then and there as aforesaid to Elect and choose Two fit persons Inhabitants of the said City or precincts to be Overseers of ye poor within the same for the Year ensuing Also then and there as aforesaid to Elect and choose two fitt persons Inhabitants of the said City or precincts to be Constables for the said Year Ensuing all which persons whatsoever Elected and chosen at the times and places and in manner aforesaid shall each of them respectively be and appear

on the first Tuseday of the Month of June at the Court House or City Hall of New Castle aforesaid by ten of the Clock in the forenoon then and there before the Mayor or Recorder of the said City each & every of them so elected & chosen shall take their Corporal Oath for the Faithfull Discharge of that Office into which they were so elected & chosen respectively and shall therein remain & continue untill other fitt persons shall be Elected and Sworn into the same in manner aforesaid And We Do for us and our Successors by these presents Give and Grant unto the present and Succeeding Mayors of the said City That he the said Mayor for the time being by and with the Advice of the Recorder and Aldermen or the Majority of them shall from time to time have the Nomination and Appointment of a Marshall or Serjeant at Mace being an Inhabitant of the said City which Nomination and Appointment shall be granted to the said Marshall or Serjeant at Mace from the Mayor under the Seal of the sd City and he shall take his Corporal Oath before the Mayor or Recorder faithfully to Execute the said Office untill another fitt person shall be Appointed & Sworn in his Stead And We Will and Appoint by these presents for us and our Successors That upon Neglect or refusal of Any of the Overseers of the Poor or Constables so Elected and chosen as aforesaid to take their respective Oaths for the faithfull discharge of their respective Offices at the time & place afore sd every such person so neglecting or refusing shall forfeit the Sum of Five Pounds Current Money to be levied and employed as Amerciaments and fines above mentioned—And on any Vacancy which shall happen in the last mentioned Offices there shall be other persons Elected and chosen into the same by Common Council of the said City to serve until the next annual Election and the persons last Chosen shall be Subject to the like Fines and penalties on any Neglect or refusal as those immediately before them were and others shall again be Elected and chosen into the said Offices in manner aforesaid And We have Given Granted Appointed ratified & Confirmed And Do by these presents for Us and our Successors Give Grant Appoint ratify and Confirm unto the said John French Esqr present Mayor David French Esqr Recorder And Samuel Lowman Robert Gordon Thomas Janvier Richard Graffton Anthony Houston and John Welch Esqrs present Aldermen of the City of New Castle and the Succeeding Mayors Recorders and Aldermen of the same shall be keepers of the peace of Us and our Successors & Justice to hear and to determine Causes within the sd City and Liberties and precincts thereof and that they or any three of them whereof the Mayor or Recorder to be one shall and may forever hereafter have the power and Authority by Virtue of these presents to hear and determine all manner of petty Larceny's riots routs extortions or other Trespasses & Offences whatsoever within the said City or Precincts and Liberties thereof from time to time arising or hap-

pening or which may arise & happen or that doth in any way belong to the Offices of Justices of the Peace and the correction & punishment of Offences aforesaid and every of them according to Law to do execute and perform and all other things as fully and amply as to the Commission of the Peace Assigned and to be Assigned for the keeping of the Peace in any of the said Counties doth or may belong And We Do by these presents Assign Nominate and Appoint the Prothonotary of the Court of Common Pleas for the County of New Castle present Town Clerk and his Successors in the Office of Town Clerk to be Clerk of the Peace to be holden before the Mayor Recorder and Aldermen of the said City of New Castle and precincts and Liberties thereof And We Do by these presents for us and our Successors Command require & Strictly Charge That the Sherif and Coroner of the County and City of New Castle for the time being Town Clerk of the Peace and pleas Marshall or Serjeant at Mace Constables and every of the Subordinate Officers for the time being within the sd City and precincts jointly & severally as cause shall require that they attend upon the Mayor Recorder and Aldermen of the said City for the time being according to the Duty of their respective Offices and places & the precepts Warrants and process of them and every of them to execute and perform as appertaineth and belongeth to be executed and performed And We Do by these presents for us and our Successors Give and Grant unto the Mayor Recorder and Aldermen of the said City and to their Successors as Justices of the Peace from time to time by Virtue of their or any of their Warrants all & every person or persons for High Treason or Suspicion thereof Malefactors for felonies or for other Crimes Misdemeanors and breaches of the peace of us & our Successors that shall be apprehended within the sd City or Liberties & precincts thereof That they the sd Mayor Recorder and Aldermen or any of them as Justices aforesaid shall and may send and commit or cause to be sent and committed to the common Goal in said City there to remain and be kept in safe custody by the Keeper or keepers of the sd Goal for ye time being or his or their Deputy's until such offender or offenders shall be from thence delivered by course of Law And We Do by these presents for us and our Successors Strictly require & charge and Command the Keeper or Keepers of the said Goal in the sd City for the time being and his or their Deputies to receive and to take into safe Custody and to keep all & Singular such person or persons so apprehended or to be apprehended sent and committed by Warrant of the said Justices or either of them as aforesaid untill he or they so sent & committed to the said Gaol shall be from thence delivered by due Course of Law And We Do by these presents for us & our Successors Give Grant ratify and Confirm unto the present Mayor Recorder and Aldermen of the sd City and to their Successors or to any three of them whereof the Mayor or Recorder to be

One that they shall and may have hold and keep within the sd City for the Town and precincts thereof on every first tuesday of the Month One Court of Common Pleas for all Actions of Debt Trespass on the case detinue Ejectment or other personal Actions which Mayor Recorder and Aldermen or any three of them whereof ye Mayor or Recorder to be one shall hear and determine such pleas and Actions and Judgements give and Executions thereupon Award and in General shall Do and perform every thing relating thereunto which unto Justice according to Law doth appertain or belong as fully and amply as any of the inferiour Courts of pleas can or ought to do in such like case—within any of our said Counties for ye better Ordering of the Citizens of the said City and Liberties Our Will is And We Do by these presents for Us and our Successors Create Appoint and Ordain That all our Natural born Subjects Free holders or Inhabitants within the said City of New Castle and Liberties thereof that follow any Trade Mistery or Occupation and every of them shall from henceforth be and are hereby Created and made free Citizens of the same And We Do by these presents for Us and our Successors Give and Grant to the Mayor Recorder and Aldermen of the said City or any three of them whereof the Mayor to be one That they shall and may from time to time by an Instrument of freedom under ye common Seal make and Ordain such persons as they shall think fitt free Citizens of the said City and Liberties No Person nor persons whatsoever other than such as are hereby Constituted and made free Citizens of the sd City of New Castle or that has been Admitted thereunto in manner aforesaid shall presume to Use or Occupy any Trade Art or Mistery within the said City and precincts thereof except during the time of publick fairs only, and in case any person or persons who are not made free Citizens by Virtue of these presents or that shall not be admitted thereunto in manner aforesaid shall at any time or times hereafter Use or exercise any Trade Mystery or manual occupation or shall Sell or Expose to sale any manner of Goods Wares or Merchandises whatsoever by retail within the said City or precincts thereof no fair being then held in the same And shall persist to do so after Warning to him or them given by Order of the Mayor of the said City of New Castle for the time being at the place where such person or persons shall Use such Trade Mystery or Manual Occupation or shall sell or Expose to sale such Goods Wares or Merchandises as aforesaid by retail then and in such case it shall and may be Lawfull for the Mayor of the sd City for the time being to cause such Shop or Vendue to be Shutt up and also to impose a reasonable fine on the party offending not exceeding Five Pounds for each offense And the same fine or fines to Levy and take by Warrant under ye common seal of the sd City by distress and Sale of the offenders Goods and Chattles rendering ye overplus if any to the Owners all which fines so Levied and re-

covered shall be to and for ye only Use and behoof of the Mayor and Commonality of the said City of New Castle for the time being and their Successors forever without rendering or being accountable for the same to us or our Successors And We Will That all persons hereafter to be made free of the sd City as aforesaid Shall and do pay for the Use of the Mayor and Commonality of the said City of New Castle & their Successors at their Admission to be Citizens or free men such Sum or Sums as shall hereafter be Settled and Agreed upon by the common Council of the said City not exceeding the Sum of Five Pounds for each persons freedom And We Do by these presents for us and our Successors Give Grant ratify and confirm unto the Mayor Aldermen & Commonality of the City of New Castle and to their Successors for ever hereafter to hold and keep two Market Days weekly throughout the year yearly and every year, to wit, on every Wednesday and saturday of every week excepting when they shall happen on such holy days as are appointed by publick Authority to be kept holy and the said Weekly Market shall be held and kept in the said City at the Market place near the Court house or City Hall and in no other place of sd City Whatsoever And We do by these presents for us and our Successors Give Grant Ratify and Confirm unto the Mayor & Commonality of said City of New Castle power and Authority to provide and keep just and true Standarts of Weights and Measures agreeable to those appointed & used in that part of our Kingdom of Great Brittain called England Hereby Strictly charging and Commanding the Clerk of the Market for the time being to make due inspection within the said City That no Goods Wares Merchandises Liquors or other things of what kind or Nature soever be sold within the said City and precincts but by weight and Measure agreeable to the afore sd Standarts under such reasonable fines and forfeitures to be imposed levied and applied as other fines and forfeitures before mentioned and as shall hereafter be Agreed upon by the common Council of the sd City not exceeding five pounds for each offense And We Do for us and our Successors by these presents Give Grant Ratify and Confirm unto the sd Corporation and City of New Castle and Liberties and precincts thereof that they shall be from henceforth represented in the General Assembly of our said Counties by two Members to be by the Majority of ye Freeholders & Freemen of the said City and precincts annually chosen to Sitt & Vote in the House of the representatives of the Freemen of the said Counties And We have Given and Granted And Do by these presents for Us and Successors Give and Grant to all the Freeholders and Freemen of the sd City and precincts full Power and Authority to Assemble and meet together on the Second day of the Month of October annually in the said Court House or City Hall of New Castle and then and there to Elect and choose by plurality of Votes two good and Sufficient Men

of their Number to represent the sd City in the General Assembly of our said Counties as aforesaid which Election of the representatives yearly of the said City shall be certified by a return of ye names of ye persons so Elected as aforesaid under ye hands of the Mayor or Recorder and the Common Seal of the said City And Lastly We have and do by these presents for us and our Successors Give Grant Ratify and Confirm unto the sd Mayor & Commonality them or any of them as if the said Powers Authority Liberties Immunities privileges & Franchises whatsoever were herein or hereby more fully and better expressed according to the true intent & meaning of these presents And that no Officer or Officers of us or of any of our Successors should molest or disturb the sd Mayor or Commonality of the said City in the quiet enjoyment of the privileges Granted or intended to be granted as aforesaid To Have and to Hold all and Singular the privileges Advantages Immunities Franchises and all other the premises herein and hereby Given & Granted or herein or hereby that are intended or meant to be given & granted unto the said John French Esqr Mayor David French Esqr Recorder Samuel Lowman Robert Gordon Thomas Janvier Richard Grafton Anthony Houston and John Welch Esqrs Aldermen, James Sykes John Finny Wessel Alrichs David Miller John Vangezel & Richard Bermingham Assistants and their Heirs to and for the Sole and only proper Use and benefit and behoof of the Mayor Recorder Aldermen and Commonality of the said City of New Castle and Liberties and precincts thereof and their Successors forever Yielding Rendering and Paying therefore Yearly and & every Year hereafter unto Us Our Heirs and Successors at the Court House in the said City of New Castle on the Twenty eighth day of May One Beaver Skin if the same be Legally Demanded

IN TESTIMONY whereof We have Caused these our Letters to be made Pattents and the Great Seal of the Government of our sd Counties to be hereunto affixed Witness our Trusty and well beloved SIR WILLIAM KEITH Barronet by our Royal Approbation and Appointment Governour of our said Counties of New Castle Kent and Sussex upon Delaware and Province of Pennsylvania at New Castle this Twenty eighth day of May in the Tenth Year of our Reign and in the Year of our Lord One Thousand Seven Hundred and twenty four

W. KEITH.

L. S.

Fiction as a Mirror of Delaware Life

AUGUSTUS H. ABLE III

LITERATURE, it is claimed by its proponents, constitutes a living record running parallel to the historical record but, because it is imaginative rather than factual, yielding its own special revelation. If this thesis be granted, the increasing number of studies of American local literatures should be welcomed not only as sources of some new particulars of information but more significantly as sources of enlightenment concerning the local varieties of American culture, those true *genii loci* that are at once the many-shaded ground of our national spirit and its relief from dull uniformity and flat tediousness.

Obviously a state like Delaware, of a small territory but of a long and proud history, should prove an excellent site for testing the possibility of the spiritual delineation of a region through the books written in and about it. Further, for the purpose of the Delaware experiment a considerable body of appropriate books exists. Most were written by natives of the state, some by strangers. Some are a century old, some of recent years. Some remain popular or at least known; others are fallen on forgetfulness. And, in any case, they are conceived in all the various styles that have commanded popular taste. Together they present the different epochs of the state's history, its terrain and its people; but Delaware as a place is the sole principle of their congruity. Perhaps none is a book of great significance although more than a few are of considerable literary merit. But each, whatever its quality, is like a stone cast by a passing wayfarer upon a cairn as his contribution to something larger and more significant than he has known or might dream of knowing. In sum they become, to alter the figure, the composite mirror of a psychic reality that spans the generations and that governs, perhaps unnoticed, the lives of all who enter into it.

This paper was originally presented before a meeting of the Historical Society of Delaware on April 14, 1947.

Of this reality one writer catches one glimpse, another, another. But the total of the insights grows into the image of a complex social reality and like any true image of art is not only recognizable for what it is but is revelatory by reason of the heightened impression it produces of its subject. Yet to define the nature of the revelatory impression would be difficult, if not impossible, for it is its very character that is subjective and elusive. Nevertheless, its discovery affords one of the happiest rewards of literary study. Accordingly, in the belief that the books of the Delaware scene are capable of externalizing for their reader very faithfully and satisfyingly the essence that is Delaware, the following suggestions are offered by way of a limited illustration. They are all drawn from fiction because novels are by definition imaginative creations and also because fiction has proved itself overwhelmingly the richest phase of the local literature, in the sense that it is the most various and most talented. In so being, of course, it but illustrates a century's trend.

It might surprise many persons that in actual number the local makers of verse have exceeded the prose writers; but their talents have not always answered their enthusiasm, and in any case, their subjectivity and their objects of interest have brought little illumination to the local scene. The only large exception that could be made to that statement would be a tribute to the small but persistent and amusing school of local-color verse writers that has flourished chiefly in the lower counties, comprising men like George Alfred Townsend, George Hynson, Richard Griffin, Thomas Irons and, latest, Gilbert Byron; and in New Castle county, Jerome B. Bell, the local Oliver Wendell Holmes. These men are of the proper pattern but also are but a small island in the sea of verse. Accordingly, fiction, apart from the letter of historical record, provides by far the best vehicle for apprehending the state as it has been, is and shall be, an entity distinct, constant and presumably immortal.

Understandably Delaware as an historical countryside finds a place in historical fiction. The early, brief and exigu-

ous appearance of New Sweden on the banks of the Delaware seems to have exerted an unusually strong romantic appeal on writers. Washington Irving was the first to engage the theme in his *Knickerbockers' History* (1809) where in the Sixth Book he traces out the whole history of the Swedo-Dutch conflict. Particularly notable is the eighth chapter of that book where Irving describes the fall of Fort Christina. No part of Irving's narrative is more sprightly with his own gentle humor. But for Delawareans the picture is especially memorable because of the gentle Christiana's turning from its bed to run uphill in breathless terror on account of "the most horrible battle ever recorded in prose or poetry," although too by the author's admission it continued to its close "without the loss of a single man on either side." Perhaps more significant is the entry on the Delaware scene of the deities of Olympus who come to intervene on behalf of their favorites after their old fashion on the "windy plains of Troy." Accordingly Delaware's first appearance in fiction is replete with an epical and mythological apparatus that connects it with a most heroic past and that by the same token seems to prognosticate a great destiny, although the business proceeds under the management of an American humorist strictly for his own purposes of entertainment.

James Kirk Paulding, Irving's friend, appropriating the theme of South River, created his *Koningsmarke* (1823) in the spirit of pure *opera bouffe*. The characters are fabulous and comic from that man of straw the governor, Peter Piper, down to the black slave Bombie, *alias* Snowball, *alias* Frizzled Head, an erst-while African princess who has arrived in Delaware *via* the Duchy of Finland. The indications of place are equally imaginative and theatrical so that the whole piece seems like the scenario of a musical farce. If it were projected upon the stage, as it could be, it should prove very entertaining after the manner that Paulding himself described it: "a mixture of history and romance . . . exceedingly palatable." Beside *Koningsmarke* the anonymous *Printz Hall* (1839) appears Gothic rather than theatrical. Its sole significance is that the story is given Old Country roots. This development

is significant, for it marks a trend, one perhaps inevitable in the nature of the material, for future books.

Emily Reed's *Two Hundred Years Ago, or Life in New Sweden* (1876) is pretty, pious and tame; Pennock Pusey's *Ebba Borjeson* (1894), earnest and full; Emma Rayner's *In Castle and Colony* (1899), splendidly evocative of the almost medieval life of 17th Century Sweden, in the best tradition of Charles Reade. Still all these books are alike in their reliance upon an antecedent Swedish tale to redress the paucity of their actual Delaware chronicle; and there is an unsatisfactory air of invention about them all. A theorist in these matters might suspect that the creation of imaginative historical fiction rests, irrespective of the talent of the writer, upon a supporting mass of data many times larger than that he uses, and that this base the scanty annals of New Sweden do not afford. Nor have the more recent books improved upon the earlier. Katherine Pawle's *Mural for a Latter Day* (1938) is indeed mural-like, being ambitious and decorative, but out of all drawing, while its Old Country story is unusually fancy. Again, Gertrude Crownfield's *Proud Lady* (1943), although it is quite single-minded in its attention to Armgart Printz and her over-persuasion by the Long Finn, is slight; certainly it is not its author's most successful effort. So it appears that the great novel of the Swedish settlement still remains to be written. Nevertheless a series of books exists, beginning in light-hearted travesty and concluding in attempts at full-bodied fiction. These latter seem motivated almost entirely by the power of a nostalgic legend. In part the result is graceful but more often stagey and tedious so that a reader is forced to the reluctant conclusion that here, as elsewhere, good intentions do not prove good enough.

More stirring and therefore more satisfactory are the novels dealing with piracy either foreign or domestic in the Delaware River and Bay. Strictly, it is a reaching beyond our boundaries to include B. J. Willis' *John Martin, Jr., a Story of the Iron Mask* (1893), the earliest of these books, whose scene is "Pine Landing, Maryland"; but its connection with

French history and the romanticism of Dumas makes it almost irresistible, especially since it falls on the Atlantic shore only a few miles below the line. More legitimately Delawarean, of course, are Howard Pyle's "Tom Chist and the Treasure Box" (1907) telling of Captain Kidd's burying treasure at Henlopen in 1699; and his *Within the Capes* (1899) whose hero, although he hails from West Chester, is of familiar Quaker stock and makes his departure to and his return from a world of adventure through Delaware waters. Pyle himself is authentically Delaware's and a great artist always with the pen as with the brush and pencil. It may be said of him as Dr. Johnson wrote of Goldsmith: "He touched nothing that he did not adorn."

Rupert S. Holland's swash-buckling *Pirates of the Delaware* (1925) is another attractive book. It places the residence of the spidery pirate command at Bellevue "three hours ride from the lower ferry in Philadelphia". (This would seem to fall short of the Bellevue in Brandywine Hundred.) and the den and haven on the Indian River. The country between is described: lonely, primitive, forbidding; still it is fair in the light of morning and in the spring it is idyllic with the soft airs and pastel shades that are characteristic of the region in that season.

John T. McIntyre in his *Blowing Weather* (1923), dealing with crafty domestic piracy in the river after 1800, gives a fine, bleak picture of winter with vessels frozen tight in the ice off New Castle, where precious cargoes are unloaded and carried off to Philadelphia on sledges. New Castle again is the chief scene of Gertrude Crownfield's *King's Pardon* (1937), which also features the river pilots' colony at Lewes and the Old Henlopen Light among the sites of its exciting drama. New Castle also provides the opening scene in one of its greater houses of the Strand, possibly the Read House, for a killing in Katherine Virdin's *Crooked Eye* (1930), a mystery novel dealing with the pirate descendants, who, having mingled their blood with the Indians, continue allegedly as a fierce breed in the deeper pine woods of Sussex County,

whence they carry their savagery upon occasion into the purlieus of gentle New Castle or even into the center of metropolitan Wilmington. It is notable that the pirate brood in this their contemporary appearance are more ruffianly than in any earlier one. Apparently distance does lend enchantment to the view. In any case, Mrs. Southerland is to be congratulated on wedding an ancient theme with the detail of modern realism to produce a really exciting book embracing a wide arc of local reference.

Delaware in the Revolution has not been treated over-much in fiction. Prof. James Lynd's "Morning, or Catherine Willard, the Patriot" (1849), an ultra-romantic confection, yields no image; George Lippard's *Blanche of Brandywine* (1856) presents but momentarily General Washington atop Iron Hill, nigh to Newark, where George Townsend hints [in his descriptive "College Poem" (1868)] he had better have stayed; and John Lofland's "Helen McTrever" (1853) dwells only in title on the Brandywine. However, two excellent books dealing with Delaware in the Revolution, both of them by Delawareans, both deservedly well-known and both dating from the year 1897, do exist: General George Brydges Rodney's *In Buff and Blue* and George Morgan's *Little John of J.* The first purports to be "certain pages from the diary of Richard Hilton, Gentleman of Haslet's Regiment of Delaware Foot in our Glorious War of Independence." Its formal, somewhat stiff style is exactly harmonious to its purpose: the chronicling of the struggle as seen through the eyes of a gentleman officer from the time of his regiment's recruitment in a season of rising excitements, on through the roll of the battles from Long Island to Monmouth where he is captured and parolled upon his word of honor to return to his Delaware home and remain non-combatant until an exchange of prisoners can be arranged. The book's slow movement and coldly elegant tone give the effect of pageantry whilst its moral sentiment lends elevation. Altogether it is an artistic reminder of an older day when war was still an art of which the hardships were mitigated by the courtesies of a gentleman's code.

Little John of J is somewhat different, for it is a novel of intrigue rather than a stately memoir. The tale's chief character is one Asa Langford, a patriot soldier "from the swamps of Willkill Creek, near the Cockfoot Mills in Delaware." This protagonist detects the cabal against General Washington at Valley Forge, then turns to Philadelphia to assist in the capture of a British sloop. This vessel he helps to convey down river to a hidden inlet in his own neighborhood where its supplies are unladen and then reconveyed northward overland for the victualling of the starving forces at Valley Forge. The book is remarkable for its brisk tempo, its sound dialogue, its highly visual description and its generally crisp style. It marks its author, George Morgan, as a man of literary talent as he was to prove again in a second historical novel, even more ambitious, *The Issue*, to which reference will be made.

A more recent novel dealing with the Revolution in Delaware is Gertrude Crownfield's *Where Glory Waits* (1934), which tells the story of Mary Vining, "the Belle of Delaware" and her love for General "Mad" Anthony Wayne. The scene is Wilmington and into the picture come many of the great: Washington, Lafayette, and, of course, the love-smitten but already married Wayne. The novel is romantic and highly colored; quite evidently it has been assisted in many of its details by information culled from that ever-useful local source-book Elizabeth Montgomery's *Reminiscences of Wilmington*: for examples, "the Vining's" covered face and her addiction to the carriage. But these have been worked into a pleasing fabric, which if not wholly convincing still is able to win that "willing suspension of disbelief" that is the seal of the romanticist's success.

The novels dealing with the institution of slavery in Delaware form an interesting group. The first among these in novelty of interest is Charles Reade's *The Wandering Heir* (1878) dealing with the slavery of the white indentured servant before the Revolution. The story of how Reade found his story of Delaware in the Irish archives is an oddity of interest in itself. Further, it would be interesting to know where

Reade, who was never in America and who boasted in defense of his use of documentary sources that he cared not to imagine what he might know, got his data for his picture of pre-Revolutionary Wilmington. At any rate, Wilmington appears in his pages as identifiably the community one might look for, only smaller, less wealthy, less aristocratic, more dominantly Quaker and more artisanly industrious than that of later years. As one might expect, the institution of white chattel slavery gets off badly at the hands of the reforming novelist. On the whole, however, the picture is credible and its very existence a surprise.

The great novel, of course, upon the slavery theme is George Alfred Townsend's *The Entailed Hat* (1884). Perhaps it might be said, even upon deliberation, to be the greatest Delaware novel, if not in terms of the absolutes of art, then in terms of popular knowledge and appreciation. And in this verdict there is irony, for most of the story lies beyond the confines of the state; indeed, only the Patty Cannon episode falls within the southwestern corner and that by a hair's breadth as measurements go, although it is true that some of the running warfare extends toward Dover. The identification of the book with the state is notably helped by Townsend's loyalty to his native state as expressed in his collection of *Delaware Poems* and in a few of his stories in *Tales of the Chesapeake*. Yet, unquestionably, the book is Peninsular rather than Delawarean; and further was intended as a celebration of the author's honorable English lineage and the progress of his equally ancestral Methodism as much as an anti-slavery melodrama, either Delawarean or otherwise. So, on the face of the situation, it would seem that the populace has gone wrong in giving *The Entailed Hat* its suffrage, just as it has been wrong in another preference, remembering John Lofland, self-elected "Bard," and forgetting Lofland's contemporary, Robert Montgomery Bird, a loyal son and literary artist of national stature in a variety of genres. Nevertheless, in this instance of choice a sound literary instinct can be felt operating, for *The Entailed Hat* is a rich book, rich even to over-abundance. The Patty Cannon episode is sensational writing, a fine spot of

bright color relieving the somber shades of what is really a late Gothic novel wherein is conveyed without reference to state lines, which it transcends, the atmosphere of that larger region which Howard Pyle called a "Peninsular Canaan."

Townsend's *Tales of the Chesapeake* have been mentioned. "The Big Idiot," a tale of New Amstel, need not detain us; "The Ticking Stone" is more deserving of mention. This second Delaware legend tells the story of Fithian Mimuit, clock-maker of Christiana, who having swallowed George Mason's perpetual chronometer as a child, was fated to carry it ticking inside him all his life and beyond, to his grave in the Baptist cemetery of the Welsh Tract where still, so they say, it may be heard. Here, however, the interest is in the matter rather than in the art of the teller. Townsend was a very uneven writer and often not at his best. In *The Entailed Hat* he succeeded in spite of himself, upheld in his epic task against all artistic risks by the fullness of his materials and the enthusiasm of his pious purpose. He never succeeded in like measure again, except perhaps in *Campaigns of a Non-combatant* and a part of *Bohemian Days*, books of his younger days, the fruit of his reporting the Civil War at home and abroad, having nothing to do with Delaware.

It is said that imitation is the sincerest flattery. *The Entailed Hat* has enjoyed that tribute in R. W. Messenger's *Patty Cannon Administers Justice* (1926). As a narrative it intrudes upon Delaware soil only to the extent that the infamous inn stood within the state's corner. By intention it is an attempt to retrieve Patty Cannon's reputation. To that end the author concocts a wild tale, one not without entertainment value. It concludes in a mad chase over the waters of the Chesapeake and there most readers will be content to let it fly.

The theme of the Underground Railroad is treated in Harriet Belt's *Mirage of Promise* (1886), but since it was the habit of this romantic lady, as it was the habit of all her kind, to eschew local color, it is hard to establish any locale. Hildegard Hoyt Swift in her *Road to Freedom* (1935) deals with the operation of the "railroad" within the state and its heroic

promoter, Thomas Garrett. Recently Edmund Fuller in his first novel *A Star Pointed North* (1947), a fictional life of Frederic Douglass, has presented the picture of the runaway slave from Baltimore making his way across the state by train and across Wilmington on foot, unassisted, to the Philadelphia boat; one of those gay river boats perhaps whose roystering life Christopher Ward has described in his *Yankee Rover* (1933) although his boat havened at New Castle connecting with the railroad to Frenchtown.

George Morgan's *The Issue* (1904) is an epical treatment of the "irrepressible conflict" from its origin in the "peculiar institution" of the South to the expiating sacrifice at the "high-water mark" at Gettysburg. George Morgan in a letter accompanying his presentation copy to his Alma Mater, Delaware College, tells that he first contemplated a trilogy upon his theme and that he regretted his being persuaded by his friends to a lesser work. Nevertheless, his purpose "to discover some height on which a man could stand and impartially view the terrible scene of 1861-65" was measurably achieved. *The Issue* is a nobly eloquent, impressive book and deserves to be better known in this generation in which epical books about the Civil War are still not unpopular, as witness the success of *The Wave*, *Long Remember* and *Gone With the Wind*. It does not touch upon Delaware directly but as an expression of a Delaware unionist's view of the nation's great crisis, it is significant.

In the romantic fiction of the mid-19th Century Delaware appears as a place but fleetingly. Robert Montgomery Bird in his *Hawks of Hawk Hollow* (1835), laid upon the reaches of the upper Delaware, lets his good Capt. John Loring remember his home farm upon the Brandywine and his son who fell in the battle there, but gives no more. John Lofland for the purposes of his fiction uses local situation but hardly in any recognizable fashion for the most part. We are told that his most moving piece in the pathetic style, "The Broken Heart," was based on an incident at West Chester, a town he admired. The "Merchant of Wilmington" and "Wild Harry of Wilming-

ton" figure his titles but might belong as well to any world. Only in his references to the Brandywine does he become more explicit. His "Helen McTrever," already referred to, might likewise live anywhere, but his "Indian Beauty" and his "Onoke-oco" do really live on the Brandywine so far as Lofland's characters are capable of living at all. The Brandywine was so obviously made for the purposes of romantic fiction that it would indeed have been strange had Lofland, generally imperipient as he was, failed to perceive that fact. So he uses it for the backdrop of his theater; the stream, the woods, the rocks become serviceable properties among which he places his characters. These exist as scarcely more than names, and often repulsively ugly ones at that, but even so they become the counters of a drama that for sheer extravagance of romantic invention is noteworthy among the falsities of a bad period. By the waters of Brandywine, the reader is asked to believe, some of the handsomest of the youth of the white and red races met, fell instantly in love, suffered the persecutions of family, the treachery of rivals and, of course, separation before their inevitable reunion, ideal and everlasting in its felicity. To make all this drama possible the region is furnished forth with an Indian nation whose principles of conduct, elegance of manners and refinement of living would at least equal those of the better European courts in the days of chivalry. In short, Lofland idealizes the "red-skin" even beyond the measure of Fenimore Cooper, with typical Loflandian excess. One Delawarean, Robert Bird, knew better as his *Nick of the Woods* (1837) shows—but that is "another story." Lofland's aborigines are no more than wraiths, if that; yet upon a summer afternoon by the water, among the trees, one can understand. The Brandywine is indeed a place of magic. One regrets only that Lofland's incantation was hocus-pocus.

The charm of the Brandywine suggests other waters and Dr. Caleb Harlan. His prose tale *The Fate of Marcel* (1883) is a sequel to his verse romance *Elflora of the Susquehanna* laid upon the river of that name, a stream of wide beauty but not Delawarean. *Elflora* is a baffling production and had proved such both to the doctor and his friends; however, it was

also sufficiently interesting to draw the request for a sequel, and this the doctor with good nature provided. *The Fate of Marcel* is fully as mysterious as *Elflora*, but the conduct of these elusive stories is not their essence. More important is the fact that Dr. Harlan laid the story of *Marcel* in Mill Creek Hundred, his natal spot, amid the no less than Devonian beauty of the Red Clay Creek. It is the atmosphere of this countryside that he translates to his pages: a region remote, green and still in the mingled sun and shade of summer. Amid much strangeness this catching of beauty is his success, a local loveliness captured with fidelity.

It is to this same ground that Judge Biggs turned with a right instinct for the background of his *Seven Years Whipping* (1926). Here again is caught the same summer atmosphere but rifted and more eerie by the rising of a characteristic summer storm, which with its violence and transformations of color in sky and earth is fitting prelude to a seeming return of the primeval Indian. The drama of the novel is psychological terror and in large part it is cunningly contrived from a deep reading of place. Mary Biggs' symbolical novel *Lily Iron* (1927) opens in the same region, seemingly near Yorklyn, then moves away as upon a magic carpet across the land, past the near-by city and on to the seashore. The work, apart from its clouded meaning, suggests a prose poem affording a diaorama of dissolving views vaguely familiar. The region pushing the Twelve Mile Circle is also the quarter of Bruce-land, the social citadel of Christopher Ward's *Starling* (1927). And Bayard Taylor earlier visited Hockessin with his *Lars* at its Quaker Meeting.

The southern part of the state as well as the northern finds delineation. Elizabeth Bacon Walling's *Phoebe* (1895) pictures the marshlands along the bay and contrasts the hard, poor life of their dwellers with the ease and gayety of the vacationers in the nearby resort whose lights twinkle mockingly in the night. More substantial than the foregoing is Algernon Sydney Logan's *Amy Warren, a Tale of the Bay Shore* (1900) presenting as a background to a romantic and in part melo-

dramatic novel a picture of a Kent County farm upon the marsh borders. Not only is the quiet beauty of the farm country caught in its physical detail but also there are evoked the overtones of history in that place. Mr. Logan was a wealthy and ambitious amateur of literature; in *Amy Warren*, moved by evident feeling for a place that he was willfully to abandon later, he wrought his best book. The Bombay Hook neighborhood is mentioned briefly in Vincent McHugh's highly sophisticated *I am Thinking of my Darling* (1943). The river figures in Ellen Kirk's *Midsummer Madness* (1885); and the marsh is the true protagonist in Virginia Gregory's *A Flower of the Marshlands* (1935). But the finest of all the books dealing with the flatlands is Ella Middleton Tybout's *Poketown People* (1905), her re-creation of a Negro shanty village south of Delaware City near the Chesapeake-Delaware Canal. It is to be hoped that sometime this richly imaginative, humorous book may, in justice to its author and for public enjoyment, be reprinted. Meantime it can safely be asserted that Mrs. Tybout is Delaware's Joel Chandler Harris. Her knowledge of the manners, thoughts and speech of the rural Negro has actualized a Delaware hamlet which, although it may have disappeared from the map, is nonetheless still existent in a very real sense.

The towns as well as the country are represented in fiction. Lida Larrimore's *Mulberry Square* (1930) is supposed to celebrate the antique charm either of Dover's Green or New Castle's. Something may be said for either view, but the hovering presence of a large city near at hand rather implies that the place is New Castle. New Castle and Wilmington seem actually to be merged as a vague composite under the name of New Bristleton in Rose Barrett's *Vanity and Virtue* (1869). New Castle, of course, is the scene of "Max Adeler's" *Out of the Hurly-Burly, or Life in an Odd Corner* (1874), which having sold over 600,000 copies in this country and Great Britain, an enormous total for that day when numbers still meant something in relation either to money or books, still survives in many an "odd corner." Today its jokes are "old chestnuts," callow and over-labored, although in his time Mr. Clark laid

a proud claim to them all as his own originals. In a book of jokes, they are the important business; further, they are the sort that might happen anywhere or nowhere, probably nowhere. Certainly, they are not locally conditioned. Accordingly their violence rackets through the quiet, empty streets of New Castle with the relative impact of bombs. Perhaps the horseplay seems just the more outrageous because of the placidity of the setting; and in this there may be artfulness. In any case, it is sure that "Max Adeler" conceived New Castle sentimentally, as a mellow, Old-World place with a sunset light upon it; and this the repeated explosions of his humor, tasteless or not, cannot spoil. *Out of the Hurly-Burly* was meant to be a light-hearted, merry book (a denunciation of the whipping post, very much in earnest although larded with a heavy humor, intrudes the only angry note); and such still it can be for those who can lay aside for the moment their sophistication. The houses of the Strand and their purlieus have been visited most recently in Katherine Virdin's *Crooked Eye*, already mentioned. Indeed, a place for murder! and the old houses survive it with the same serenity with which they withstood "Max Adeler's" massacring humor.

It was this same perdurable serenity that proved maddening to the author of *For My Father* (1936), who having first encountered it in New Castle and identified it as the Delaware *genius loci*, pronounced his comminatory sentence upon it as he departed forever from Delaware soil at the New Castle ferry-slip. At that moment, like Lot's wife, he looked back—toward Wilmington! It is needless to recall his classical summary upon Delaware and its metropolis. Yet in its terms it was not very unlike the opinion more diffusely presented by Mr. Canby in his *Our House* (1919) and by Mr. Ward in his *One Little Man* (1925). But an accent and a smile do make a difference. And with Mr. Wertenbaker the accent was not ingratiating and the smile was positively missing. So feelings were hurt, understandably. George Meredith preached many years ago the canon that still to far too many persons is a novelty; namely, that the spirit of criticism is not incompatible with deep affection and abiding re-

spect. And the very fact of this truth, properly understood, is the great virtue both of Mr. Canby's novel and Mr. Ward's novel. Mr. Canby in his picture of life in Delaware Avenue in 1898 achieved once for all [to re-do it, however, in his non-fiction book *The Age of Confidence* (1934)] the picture of the controlling society of the city at that time. It is a picture concrete in its detail of house furnishings, food, gardens, and in larger things of the court-house clock and the silhouette of factory chimneys; tender in its contemplation of many family and neighborly relations; critical in its exposure of an all-pervading mercantilism dwelling together with insularity of thought and timidity of action. It offers permanently, like the famous fly preserved in amber, a most life-like study of American middle-class society at the moment when it seemed most stable and gracious, the embodiment of the ideal which sooner or later the Republic in its progress would realize for all its children. Mr. Ward's book is the antithesis and complement of Mr. Canby's in that it presents the more numerous because less wealthy and less cultivated inhabitants of the city; the people of the row houses and corner shops and manual employments: a comfortable and optimistic population, nevertheless. Both novelists are one in protesting against materialistic complacency, but their society is still a homogeneous one, a bit stupid perhaps and inert but kindly-human and lovable; one's own, in spite of all.

In Judge Biggs' *Demigods* (1926) and his *Seven Years' Whipping* (1928) Wilmington appears as the same comfortable place that Messrs. Canby and Ward noted. The life of the court-house, the Sunday church parade, the comfortable homes in the suburbs: all these betoken a settled way of life and a community that knows its own mind; and the political moral of *The Demigods* is tendentious of the same conclusion. Anne Parrish and Dillwyn Parrish confirm the same impression in their books: at first, together, very quaintly, in *Lusters* (1924); later, separately, Anne in her *Perennial Bachelor* (1925) and Dillwyn in his *Smith Everlasting* (1926). In the last two titles Claymont shares the scene if it does not actually take the lion's share; a Claymont still somewhat remote—gra-

cious with its houses, their grounds falling away to the river, and its church "like a little red hen," its air uncontaminated as yet by the smokes and fumes of industry, its traffic infrequent and horse-drawn. It is definitely a place with a tone, a kind of Cranford; therefore, a delight. The brief appearance of Wilmington in Dr. Martin Barr's *King Of Thomand* (1907) again confirms this same impression of a not-uncongenial genteelism.

Among later Wilmington books is Katherine Viridin's "whodunit" *The Thing in the Night* (1939), which investigates murder in Delaware Avenue. However, the crime, it is a consolation to know, was done by "a newcomer." Mrs. Elma Elvinger's *Grapes of Canaan* (1931) describes much of the city in terms of the rise of our local Jewry. It is a capable novel, quite apart from the fact that it took a prize, and it is noteworthy as the only fiction stemming from the experience of any of our newer strains of population. The presence of these newer groups seems not to have been felt by the "Old Stock" writers although Ward does portray skillfully a local Irishman and Canby senses the energy of the Italians. J. Saunders Redding in his autobiography *No Day of Triumph* (1943) presents the life of the Negroes on the East Side with the vividness of fiction but that again is "another story." This omission of the newer population stocks from the state's literary picture is deserving of mention, yet it is one that the running of time will surely mend. When the assimilation of these peoples is complete, they shall be heard from, and then without any sense of strangeness.

It would be difficult to note all the stray and casual references to Wilmington and Delaware that may be gleaned. From the total of them it appears that the state is a place of traffic; and that, indeed, it is and has been always: a crossroads. But also like other more ancient crossroads, like Greece and Palestine, small places too but not unknown to fame, it has been the site of an intense local loyalty, of a high feeling for place and custom, in short, of a genuine piety in the classical sense of that word. It is this feeling that has given unity to the

local literature. The sense of the sweep of history, i. e., of the weaving of event into a growing pattern of beauty; the color of the land in its sensible detail perceived with great appreciation; a feeling for a collective temperament begotten of these; and affection for a mode of life springing from all these and accepted as good: these are the identifiable strains that run persistently through the diversity of Delaware's literature and that combine together to evoke the form of a known and well beloved reality. The union of these elements in an unconscious synthesis born of the working of many minds through their books constitutes not only a first-rate psychological phenomenon but a triumph for literature and an honor to the community involved, for nothing can more indubitably proclaim its maturity and the security of its selfhood. Accordingly, the State of Delaware may be proud that through the efforts of so many of its sons and daughters and of its friends the honor of its own literary registration has been worthily established.

News Notes and Book Reports

TO those who like Delaware antique furniture, a Brandywine Hundred chair, of approximately the 1730 period, which was given to the Historical Society from the Estate of Mrs. Thomas C. Parrish of Claymont, will be of great interest. It is an armchair with a rush seat and a high back. The legs, stretchers and two back uprights are turned, and there are four upright slats in the back, with an arched top. This belonged to the Cloud or Lodge Family, both of whom had Penn deeds to their property. The chair is of a well-recognized type, and although the name of the maker is not known, his work is identified by the special decorative chisel marks in a circular design. Similar chairs found in Delaware County or Brandywine Hundred are owned by Pennsylvania collectors. Mrs. Josiah Titzell gave this chair with many other household belongings from the Lodge House on the Delaware River. To mention only a few things, she gave a large Lowestoft punchbowl with a green garland design; another big Canton bowl, dated about 1830; two sprigged teasets; six Worcester plates; and a large Prattware pitcher, ornamented with strange peacocks, dated before 1800.

The Society also received this year by bequest of Miss Esther Fussell Byrnes, a bookcase desk undoubtedly of Delaware make, which had belonged to her great great grandfather, Caleb Byrnes (1732-1794). He was born in Plymouth Meeting and came to Delaware where he purchased the Red Clay Creek Mill at Stanton about 1770. He had learned the chairmaking business, or carpentering. The desk may have been his work. Inlaid in the desk section are the initials "C. B. 1771" and an ornamental leaf. The story is told by his son, Daniel Byrnes, that General Washington's army camped on rising ground in front of their Stanton house, and they were advised to vacate. Cannon were planted thickly everywhere, but Caleb did not go. When news came that the British were moving north, Washington's army left before daybreak by the Brandywine Springs Road. Caleb Byrnes died in 1794, and the family moved to Wilmington. Daniel became the cashier of the Wilmington and Brandywine Bank, and probably used his father's desk.

A collection of over a hundred early deeds, parchments and letters which came from the Milligan Family of Delaware was acquired by the Historical Society recently. Many of the papers relate to the properties of Captain Edmund Cantwell, of "Bridge Town" as one paper calls the present town of Odessa, and especially concern his plantation called "Shrewsberry, or the Hook" between Appoquinimink and Blackbird Creeks. One early deed, dated February 1678, shows that even then the New Castle riverfront was called

The Strand; and describes Cantwell's "Lott of ground and dwelling house, also some peeces of timber for bilding, Scituate in the Town of New Castle on the Strand of the River, having on the west land of Hendrick Zandt and on the east the Lott of Catherin henry". Besides 17th and 18th century surveys property titles and depositions, there are thirteen letters written 1819-1825 from Louis McLane to his brother-in-law, John Milligan. There is a fine tribute to Pinckney, and a long dissertation on Andrew Jackson. At this time McLane was Representative from Delaware, a Jeffersonian Republican.

By an anonymous gift, the Society received the important Vaughan Collection, consisting of thirty-six letters, dated 1800 to 1808, the correspondence of Dr. John Vaughan. They discuss politics with Thomas Jefferson, Aaron Burr, William Duane and James M. Broom, and medical matters with Dr. Benjamin Rush, Dr. Edward Miller, Dr. Samuel Mitchell, Dr. William Horsey and Dr. Charles Caldwell. There are letters from Dr. Vaughan to his wife and from Tench Coxe to Mrs. Vaughan after her husband's death, March 25, 1807. Included in the collection is an interesting letter from Thomas Mendinghall describing Dr. Vaughan. He was the only physician to remain in Wilmington during the Yellow Fever epidemic, and the next year he published a pamphlet on the subject. He also introduced vaccination into Wilmington in 1802.

NEW PUBLICATIONS OF DELAWARE INTEREST

The intervening months since the issuance of the September number of *Delaware History* have witnessed the publication of a number of publications covering a variety of aspects of our State's history. The accelerated interest in Delaware's historical past is gratifying and it is hoped that the production of similar works will be sustained in order to fill in some of the many gaps in the State's history. Notable among the recent publications are the following:

The Churches of Delaware, by Frank R. Zebley, published by the author, Wilmington, 1947. The twelve years that Mr. Zebley spent in travelling extensively throughout the State to ferret out the history of nearly nine hundred churches is certainly evident in this volume. Careful examination discloses that he has represented the churches of each county as carefully and as honestly as he could from the information he was able to discover. This book is not only an invaluable reference volume for historians, librarians and students, but it is also enjoyable and informative reading for anyone interested in the religious development of Delaware.

Students of naval and military history will be interested in two recent publications pertaining to Delaware. *Admiral Halsey's Story*, by Fleet Admiral William F. Halsey and Lt. Comdr. J. Bryan, III, published by Whittlesey House, McGraw-Hill Book Co., Inc., New York, 1947, relates lucidly and vividly the career of this great naval hero and adopted Delawarean. All would do well to read the true story of his distinguished career and dispel the myths attached to him. The other book, volume II, part 3 of a series entitled *Backgrounds of Selective Service*, prepared and compiled by Lt. Col. Arthur Vollmer of The Selective Service System, is published by the Government Printing Office, Washington, 1947. It is valuable for the facsimile texts it contains of Delaware colonial militia acts covering the period 1741 to 1785. These texts are now easily available in this convenient form, whereas they could previous be consulted only in the rare colonial law books.

Red Hannah Delaware's Whipping Post, by Robert Graham Caldwell, University of Pennsylvania Press, Philadelphia, 1947, is a controversial book. The author, employing an historio-sociological treatment, attempts to invalidate the value of the whipping post as a penal instrument in the State. The chief value of the volume will probably lie in Dr. Caldwell's excellent research work and compilation of facts regarding the origin of "the post" in Delaware.

The Twentieth Series of *Delaware Notes*, edited by the University Committee on Faculty Publications, (Dr. N. B. Allen, chairman) University of Delaware, Newark, 1947, contains several articles of interest for the historian. Dr. Winifred J. Robinson, the beloved Dean of the Women's College 1914-1938, has made an invaluable contribution to the history of education in this State by preparing for publication in *Delaware Notes* the "History of the Women's College". Her recollections are so full and her style so facile that the reader can hardly realize that many of the events related occurred thirty or more years ago. Dr. Robinson and the editors of *Delaware Notes* are to be congratulated upon their efforts to place the "History of the Women's College" in print. Two other articles which appear in *Delaware Notes* are of especial interest to members of the Society. These are: "Christopher Ward—A Literary Appreciation", by Dr. Augustus H. Able III and "Christopher Ward as an Historian", by Dr. John H. Powell. These two excellent addresses were delivered at the dedication of the Christopher L. Ward Room in the Memorial Library, University of Delaware, May 6, 1947. They are a fitting tribute to Mr. Ward, a former president of this Society.

The Brandywine River's scenic beauty and historic record have been justly praised in an imposing list of publications. On the other hand, the

Christina, into which it flows, has been neglected in our literature. As the "work horse" river of Wilmington it has been a main artery of transportation, a source of waterpower and the site of Delaware's great shipbuilding industry. Now, in *Delaware's Forgotten River* by C. A. Weslager, published by the Hambleton Co., Inc., Wilmington, 1947, this water-course, long taken for granted, is given rightful literary recognition. The author has skillfully collected his facts and presented them in an entertaining, informative volume.

Wilmington Wide Is the City by M. Thomas Clemons with photographs by Willard Stewart and published by the Hambleton Co., Inc., Wilmington, 1947, is essentially a pictorial treatment. In twenty-nine pictures, with their accompanying verbal descriptions which in some cases detract from the illustrations, the author has attempted to portray the length and breadth of Wilmington. Although the format is attractive and the photographs artistically executed, the book may be disappointing because of some representative views omitted as well as some ineptitudes of the text.

The Archaeological Society of Delaware's *Bulletin*, volume 4, number 4, November, 1947, contains the following articles of Delaware interest: "The Anthropological Position of the Indian Tribes of the Delmarva Peninsula" by C. A. Weslager, "The Indian and the Common Insects" by Arthur G. Volkman, "Fishing Methods of the Indians of the Delmarva Region" by A. Crozier, "Delaware Indians in the Far West" by H. Geiger Omwake, and "The Question of a Minquas Indian Fort On Iron Hill" by Seal T. Brooks.

Delaware—A History of the First State, edited by Dr. H. Clay Reed in collaboration with his wife, is published by the Lewis Historical Publishing Company, Inc., of New York in three volumes. The first two volumes are devoted to the historical writings of the fifty contributors, who wrote for the most part on modern or social aspects of Delaware's history. These volumes are profusely illustrated and the index to the historical section is in the back of the second volume. The third volume, as large as the first two volumes together, contains the biographies of many prominent citizens of the State. This portion of the *History* will become increasingly valuable with the years.

Memoirs of Mary Parker Welch 1818-1912, recorded by her son, Dr. George Theodore Welch, is edited by Dorothy Welch White and published privately by Dr. George Morgan Welch, Brooklyn, N. Y., 1947. Although Sussex County is rich in history, very little historical literature has emanated from that part of our State in recent years. This new publication, although intended as the reminiscences of an individual, is rich in the lore of the earlier years in Sussex County. Despite the fact that the editor has supplied some

statements which were earlier than Mrs. Welch could have recollected, the book is a very pleasing one. It touches on many of the old families in that County and supplies some bits of information which may not be found anywhere else.

The Pennsylvania Railroad—A Pictorial History by Edwin P. Alexander is published by W. W. Norton and Co., Inc., New York, 1947. The author has compiled a very attractive and intriguing volume to anyone interested in railroading. It is especially appealing to Delawareans as their railroad heritage dates from the days of the New Castle-Frenchtown Railroad through that of the old P. W. & B. later the P. B. & W., the Delaware Railroad and the successor to all of them, The Pennsylvania. Although Mr. Alexander's mission was to give a well-rounded picture of the Pennsylvania Railroad as a whole, an object which he achieved, we in Delaware regret that he did not devote more attention to the railroad activities in this State as they are an important link in the great Pennsylvania Railroad system.

The Bounds of Delaware by Dudley Lunt, printed by The Star Publishing Company, Wilmington, 1947, appeared first in the March 1947 number of this *Magazine*. To meet the popular demand for this story of a little-understood phase of Delaware's history, Mr. Lunt has revised his article and supplemented it with additional material and with illustrations. Between the covers of this book is a good explanation of the whole boundary problem and one which explains lucidly an intricate subject hitherto available only in a wide variety of scattered books and documents.